

# LETTERS PATENT,

ESTABLISHING THE

## COURT OF JUDICATURE

AT

PRINCE OF WALES' ISLAND, SINGAPORE, AND  
MALACCA,

IN THE

*East-Indies,*

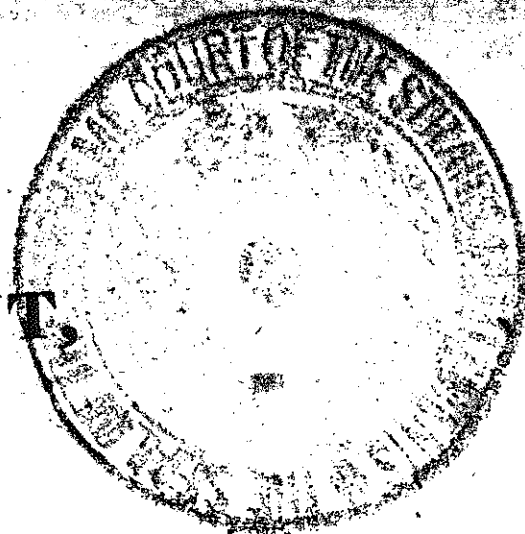
Bearing Date the Twenty-seventh Day of NOVEMBER, in the  
\* Seventh Year of the Reign of GEORGE IV : Anno Domini,  
One Thousand, Eight Hundred and Twenty-six.

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GEORGE THE FOURTH, by the Grace of God, of the United  
Kingdom of *Great Britain and Ireland* King, Defender of the  
Faith, To all to whom these Presents shall come, greeting.  
WHEREAS, by Letters Patent of Our Royal Father, King George  
the Third, of glorious Memory, under the Great Seal of the  
United Kingdom of *Great Britain and Ireland*, bearing Date at  
*Westminster* the twenty-fifth Day of March, in the forty-seventh  
Year of His Reign, reciting, that by Virtue of divers Charters  
granted by His and Our Royal Predecessors, and by Virtue of  
divers Acts of Parliaments, Our beloved Subjects, the *United  
Company of Merchants of England trading to the East-Indies*, were  
entitled to the whole and sole Trade and Traffic, and the only  
Liberty,

Liberty, Use, and Privilege of trading, trafficking, and exercising the Trade or Business of Merchandize, into and from the *East-Indies*, in the Countries and Parts of *Asia and Africa*, and into and from the Islands, Ports, Havens, Cities, Creeks, Towns, and Places of *Asia, Africa, and America*, or any of them, beyond the *Cape of Bona Esperanza* to the *Streights of Magellan*, where any Trade or Traffic of Merchandize was or might be used or had, and to and from every of them; and that the said *United Company* were a Body politic, capable in Law to have, take, purchase, receive, hold, keep, possess, enjoy, and retain, to and to the Use of them and their Successors, any Manors, Messuages, Lands, Rents, Tenements, Liberties, Privileges, Franchises, Incorporealities, and Possessions whatsoever, and of what Kind, Nature, or Quality soever; and that by the said Charters the said *United Company* were entitled to have the ordering, Rule, and Government of all such Forts, Factories, and Plantations, as had been or should be settled, by or under them, within the *East-Indies* and Parts before-mentioned, and to name and appoint Governors and Officers from Time to Time in and for the said Forts, Factories, and Plantations, and them to remove and displace at the Will and Pleasure of the said *United Company*; and that such Governor and Officers might, according to the Directions of the said *United Company*, raise, train, and muster such military Forces as might be necessary for the Defence of the said Forts, Places, and Plantations respectively, the sovereign Right, Power, and Dominion over all the said Forts, Places, and Plantations, to Our said Royal Father, His Heirs and Successors, being always reserved. And reciting, that the said *United Company* had, some Time theretofore, obtained, by Cession from a Native Prince in the *East-Indies*, an Island formerly called *Pulo Penang*, and then called *Prince of Wales Island*, situate in the *Streights of Malacca*, and also a Tract of Country in the Peninsula of *Malacca* opposite to the said Island in  
the

the *East-Indies*, within the Limits aforesaid ; and that, at the Time when such Cession was made, the said Island was wholly uncultivated and uninhabited, and that since such Acquisition the said *United Company* had caused a Fort and a Town to be built on the said Island, and many of Our Royal Father's Subjects, and many Chinese, Malays, Indians, and other Persons, professing different Religions and using and having different Manners, Habits, Customs and Persuasions, had settled there, and that, if due Encouragement should be given to the said Settlement, it was to be hoped that it would increase considerably in its Population and Commerce, to the Benefit of the said *United Company*, and to the Increase of that Branch of the national Trade which was carried on with the *East-Indies*, and would form an important marine Station for the general Security of the British Possessions in, and the Facility of the British Trade carried on with the *East-Indies* and *China*, and the Islands and Places in those Parts ; and that, in Expectation thereof, the said *United Company* had determined to establish a permanent Factory at the said Island, and had then lately appointed a Governor or President and three Counsellors, with a Secretary and other Officers, for the Government of the said Factory of *Prince of Wales' Island*, and all the Places which then were, or thereafter might be subordinate or annexed thereto. And reciting, that no sufficient Provision could be made for the Administration of Justice and the Security of the Persons, Rights, and Property of the Inhabitants, and the public Revenue of, and for the Trial and Punishment of capital and other criminal Offences committed, and the Repression of Vice within the said Factory and Places aforesaid, without the Aid and Assistance of a Charter to be granted by Our said Royal Father, making Provision for those Purposes. AND that the said *United Company* had lately preferred their humble Petition to Our said Royal Father, stating to the Effect herein-before recited ; and also that they were willing, so long as

they should maintain the said Factory, to defray all the Expenses necessarily incidental to such Courts and Judicatures as Our said Royal Father might see fit to establish, or authorize to be established there, on the Application of the said *United Company*, and therefore most humbly praying, that Our said Royal Father would be graciously pleased to grant to them His Royal Letters Patent, thereby establishing or authorising the Establishment of such Courts and Judicatures for the due Administration of Justice, and the Security of the Persons, Rights, and Property of the Inhabitants, and the public Revenue of, and the Trial and Punishment of capital and other Offences committed, and the Repression of Vice within the said Factory of *Prince of Wales' Island*, and the Places then, or at any Time thereafter, to be subordinate or annexed thereto, as should be suited to the State of the said Factory and the Condition of the Inhabitants, and as to His Royal Wisdom should seem fit. Our said Royal Father did, by His aforesaid Royal Letters Patent, for Himself, His Heirs and Successors, give and grant unto the said *United Company* and their Successors, and did grant, direct, ordain, and appoint, that there should be within the Factory of *Prince Wales' Island*, and the Places then or at any Time to be subordinate or annexed thereto, a Court of Record, which should be called "the Court of Judicature of *Prince of Wales' Island*;" and did thereby erect, create, and constitute the said Court of Judicature of *Prince of Wales' Island* to be a Court of Record; and did further will, ordain, and appoint, that the said Court of Judicature should consist of and be holden before the Governor or President and the three Counsellors of the said Factory for the Time being, as four of the Judges of the said Court, and before one other Judge, who should be called the Recorder of *Prince of Wales' Island*, to be appointed as therein mentioned, and that such Court of Judicature should have such Powers, Jurisdictions, and Authorities, as in the said Letters Patent are mentioned

mentioned. And in the said Letters Patent it is provided, that nothing therein contained, or any Act to be done under the Authority thereof, should extend, or be construed to extend, to prevent Our said Royal Father, His Heirs and Successors, upon the Surrender thereof by the said *United Company* or their Successors, or upon the Petition of the said *United Company* or their Successors to Our said Royal Father, His Heirs or Successors, without Surrender thereof, to repeal the said Letters Patent, or any Part thereof, or to make such further or other Provision by Letters Patent for the Administration of Justice, civil and criminal, within the said Factory, and the Places then, or at any Time thereafter to be annexed thereto, as to Our said Royal Father, His Heirs and Successors, should seem fit, in as full and ample Manner as if the said Letters Patent had not been made.

AND WHEREAS, by an Act of Parliament passed in the sixth Year of Our Reign, intituled, "An Act for further regulating  
 " the Payment of the Salaries and Pensions to the Judges of His  
 " Majesty's Courts in *India* and the Bishop of *Calcutta*, for au-  
 " thorizing the Transportation of Offenders from the Island of  
 " *Saint Helena*, and for more effectually providing for the Admi-  
 " nistration of Justice in *Singapore* and *Malacca*, and certain  
 " Colonies on the *Coast of Coromandel*," reciting, that under and  
 by Virtue, and according to the Effect of an Act passed in the  
 forty-second Year of the Reign of Our said Royal Father, King  
 George the Third, intituled," An Act to authorize the *East-*  
 " *India Company* to make their Settlement at *Fort Marlborough*  
 " in the *East-Indies* a Factory subordinate to the Presidency of  
 " *Fort William* in *Bengal*, and to transfer the Servants who, on  
 " the Reduction of that Establishment, shall be supernumerary,  
 " to the Presidency of *Fort Saint George*;" and an Act passed  
 in the fifth Year of Our Reign, intituled, "An Act for trans-  
 " ferring to the *East-India Company* certain Possessions newly  
 acquired

"acquired in the *East-Indies*, and the Removal of Convicts from  
 "*Sumatra*;" the Island of *Singapore* in the *East-Indies*, and the  
 Town and Fort of *Malacca* and its Dependencies, and all the  
 Colonies, Possessions, and Establishments ceded by His Majesty  
 the King of the *Netherlands* to Us, by a Treaty concluded between  
 Us and His said Majesty on the seventeenth Day of March, One  
 thousand eight hundred and twenty-four, had become and then  
 were Factories subordinate to the Presidency of *Fort William* in  
*Bengal*, and thereby, by Virtue of an Act passed in the thirty-  
 ninth and fortieth Years of the Reign of Our said Royal Father,  
 intituled, "An Act for establishing further Regulations for the  
 "Government of the British Territories in *India*, and the better  
 "Administration of Justice within the same;" were subject to  
 the Jurisdiction of the Supreme Court of Judicature of *Fort Wil-*  
*liam* aforesaid, and that it might be expedient that some other  
 Provisions should be made for the Administration of Justice within  
 the said Island and other Places aforesaid; It is enacted, That it  
 should be lawful for Us, Our Heirs and Successors, by Letters  
 Patent under the Great Seal of *Great Britain*, or in any other  
 lawful Manner, to make such Provision for the Administration of  
 Justice in civil, criminal, ecclesiastical, and admiralty Matters,  
 arisen and to arise within the said Island of *Singapore*, and the  
 said Town and Fort of *Malacca* and its Dependencies, as by Our  
 and Their Royal Prerogative, We or They might have done, if the  
 said last-mentioned Act had never been made or passed; and in  
 case any such Provision should be made by Us, Our Heirs and  
 Successors, then the said Island, and the Town and Fort and  
 its Dependencies, from the Time or several Times when such  
 Provision should take effect, or from any other Time or Times to be  
 appointed by Us, Our Heirs or Successors, and all the Inhabi-  
 tants of the said Island, and the said Town and Fort and its  
 Dependencies, and other Persons being thereon, should cease to  
 be subject to, and should be wholly exempt from the Jurisdiction

of

of the said Supreme Court, the said last-mentioned Act, or any other Law or Statute to the contrary thereof in anywise notwithstanding.

AND it is by the said Act further enacted, That it should be lawful for the Court of Directors for the Time being of the said *United Company* to declare and appoint, that the said Island of *Singapore*, and the said Town and Fort of *Malacca* and its Dependencies, and the Colonies, Possessions, and Establishments so ceded as aforesaid, or any of them, should cease to be Factories or a Factory subordinate to the said Presidency of *Fort William* in *Bengal*, and that they should be annexed to, and be considered as, and be Part of the Settlement of *Prince of Wales' Island*, or as Factories or a Factory subordinate to the said Presidency of *Fort St. George*, or to any Presidency or Government of the said *United Company*; or that they, or any of them, should be independent Settlements, or an independent Settlement, subject to such Government as the said *United Company*, under and by Virtue of the Charters granted to them, or otherwise, might lawfully appoint, and from Time to Time, as Occasion might require, to revoke and alter such Appointments, or Appointment, and to place the said Island, Town, Fort, and its Dependencies, and the said Colonies, Possessions, and Establishments, under such Presidency or Government, or to be independent, as to them shall seem fit and expedient; subject, nevertheless, to the Superintendence, Direction, and Control of the Commissioners for the Affairs of *India*, in like Manner as any Acts or Orders of the said Court of Directors were then by Law subject: and the said Island, Town, Fort, and its Dependencies, Colonies, Possessions, and Establishments, so ceded as aforesaid, and the Revenues thereof, and the Civil Servants connected therewith, respectively, should, from and after the Time to be by the said Court of Directors limited and appointed, be, to all Intent and Purposes, annexed to the Presidency or Government

to



to be appointed in Manner aforesaid, or such Island and Places aforesaid should be an independent Settlement or independent Settlements, and the Revenues and Civil Servants thereof should be annexed thereto, according to the true Intent and Meaning of such Appointment as aforesaid, any Law or Statute to the contrary thereof in anywise notwithstanding.

AND WHEREAS the said *United Company*, in Virtue of the Power vested in them by the said last-recited Act, have declared and appointed that the said Island of *Singapore*, and the Town and Fort of *Malacca* and its Dependencies, shall cease to be Factories or a Factory subordinate to the Presidency of *Fort William* in *Bengal*, and that they shall be annexed to, and be considered Part of the Settlement of *Prince of Wales' Island*, and they have united the whole in one Settlement, under one Government, consisting of a Governor or President and three Counsellors, under the Designation of Governor and Council of *Prince of Wales' Island Singapore*, and *Malacca*, and have directed that one of such Counsellors shall reside at each of the three principle Stations of *Prince of Wales' Island*, *Singapore*, and *Malacca*, with the official Designation of Resident Counsellors; and that, in the Absence of the Governor, the Business shall be transacted by the Resident Counsellor; and that the Governor shall visit the different Stations, for the Purpose of assisting in the Administration of Justice, or as other Circumstances may suggest; and that wherever the said Governor shall reside, the Business shall be conducted by him and the Resident Counsellor conjunctly: and the said *United Company* have made other Provisions for the Government of the said united Settlement. AND WHEREAS the said *United Company* have lately preferred their humble Petition to Us, stating to the Effect hereinbefore recited; and also that they are willing, so long as they shall maintain the said United Settlement and Places aforesaid, to defray all the Expenses necessarily incidental to such Courts and  
Judicatures

Judicatures as We may see fit to establish, or authorize to be established there, on the Application of the said *United Company*, and therefore most humbly praying that We will be graciously pleased to accept a Surrender of the Charter or Letters Patent hereinbefore recited; And that, for the Purpose of making further Provision for the Administration of Justice, and the Security of the Persons, Rights, and Property of the Inhabitants of the said Settlement, and the public Revenue thereof, and for the Trial and Punishment of capital and other Offences, and the Repression of Vice within the said Settlement and Places aforesaid, We will be graciously pleased to grant to them, the said *United Company*, Our Royal Letters Patent, thereby establishing or authorizing the Establishment of such Courts and Judicatures, for the Purposes aforesaid, within the said Settlement of *Prince of Wales' Island*, *Singapore*, and *Malacca*, and the Places now, or at any Time hereafter to be subordinate or annexed thereto, as shall be united to the State of the said Settlement, and the Condition of the Inhabitants, and as to Our Royal Wisdom shall seem fit.

AND WHEREAS We are graciously pleased to grant the Prayer of the said Petition :

NOW WE, having considered the Premises, of Our especial Grace, certain Knowledge, and mere Motion, have given and granted, and by these Presents do, for Us, our Heirs and Successors, give and grant unto the said *United Company* and their Successors, and by these Presents We, for Us, Our Heirs and Successors, do grant, direct, ordain, and appoint, That there shall be within the Settlement of *Prince of Wales' Island*, *Singapore*, and *Malacca*, and the Places now, or at any Time to be subordinate or annexed thereto, a Court of Record, which shall be called "The Court of Judicature of *Prince of Wales' Island*, *Singapore*, and *Malacca*." And We do hereby erect, create, and constitute

Court of Judicature  
of *Prince of Wales'*  
*Island* established

the said Court of Judicature of *Prince of Wales' Island, Singapore,* and *Malacca*, to be a Court of Record.

To consist of the Governor and the Resident Counsellor, and one other Judge, to be called the Recorder of *Prince of Wales' Island*.

AND WE do further will, ordain, and appoint, That the said Court of Judicature shall consist of, and be holden before the Governor or President and the Resident Counsellor, for the Time being, of the Station where the said Court shall be held, as two of the Judges of the said Court, and before one other Judge, who shall be called "the Recorder of *Prince of Wales' Island Singapore,* and *Malacca*," and which Recorder shall be a Barrister in *England* or *Ireland* of not less than five Year Standing, to be named and appointed, from Time to Time, by Us, Our Heirs and Successors, by Letters Patent under Our and Their Great Seal of the United Kingdom of *Great Britain* and *Ireland*.

AND WE do ordain, That the said Governor or President, and the Resident Counsellor of the Station where the said Court shall from Time to Time be held, shall at all Times be Judges of the said Court, and shall hold their said Offices of Judges, severally, during all such Time as they shall severally hold and exercise the Offices of Governor or President and Counsellor, respectively, of the said Settlement. PROVIDED ALWAYS, And We hereby declare, That in case at any Time there shall be more than one Counsellor present at either of said Stations, besides the Governor or President, then that the Governor or President and the Resident Counsellor only, if he shall be there, shall be Judges of the said Court; and if the Resident Counsellor shall not be present, then that the Governor or President and the senior Counsellor present, according to his Rank in the said Council, shall be Judges of the said Court. AND We further direct, That the said Recorder of *Prince of Wales' Island, Singapore,* and *Malacca*, shall hold his Office during the pleasure of Us, Our Heirs and Successors.

AND

AND We do hereby further give and grant to the said Governor Their Rank or President for the Time being, Rank and Precedence above and before all Our Subjects whomsoever, within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now or at any Time hereafter to be subordinate or annexed thereto; excepting the Governor-General for the Time being of *Fort William in Bengal*, if he shall happen to be any Time within the said Settlement or Places aforesaid. AND We do hereby also give and grant to each of the said three Counsellors respectively, being Judges of the said Court, according to the Order of Rank they shall hold in the said Council, Rank and Precedence above and before all Our Subjects whomsoever within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any Time hereafter, to be subordinate or annexed thereto; excepting the said Governor-General for the Time being of *Fort-William in Bengal*, if he shall happen at any Time to be within the said Settlement and Places aforesaid; and excepting the said Governor or President of *Prince of Wales' Island, Singapore, and Malacca*, for the Time being; and excepting all such Persons as, by Law or Usage, take place in *England* before Our Justices of Our Court of King's Bench, except as hereinafter mentioned. AND We do hereby also give and grant to the said Recorder of *Prince of Wales' Island, Singapore, and Malacca*, for the Time being, Rank and Precedence above and before all Our Subjects whomsoever within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any Time hereafter, to be subordinate or annexed thereto; excepting the said three Counsellors, being respectively Judges of the said Court, and excepting such Persons and Officers as hereinbefore are directed to take Precedence of and before them.

PROVIDED ALWAYS, And We do hereby declare, That when the said Judges shall be respectively sitting and acting in and as a Court, or otherwise executing the judicial Functions hereby vested

The Recorder in Court to take Precedence next to the Governor or Counsellor acting as Governor.

in them, but upon no other Occasion, the said Recorder, if he shall be present, shall have and take Precedence next after the Governor or President for the Time being of the said Settlement, or next after the Counsellor for the Time being acting as such Governor or President of the said Settlement, if he shall be present, but before any other Judge of the said Court, any thing herein contained to the contrary thereof in any wise notwithstanding.

to be de-  
the Ma-  
he Judges  
except in  
Adjourn-  
ster-men-  
AND We do further will and ordain, That all Judgments, Rules, Orders, and Acts of Authority or Power whatsoever, to be made or done by the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall be made or done by and with and by the Concurrence of the Judges of the said Court, or so many or such one of them as shall be, on such Occasions respectively, assembled or sitting as a Court, or of the major Part of them so assembled or sitting; except in the Case of Adjournment, hereinafter mentioned.

Recorder, or  
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ting as such  
first, and in  
equal Divi-  
have a cast-  
ce.  
AND We declare, That in case at any Time there shall be more than one of the said Judges present or sitting as a Court, the Recorder, if he shall be present, shall vote in every Question to be decided before the other Judges present shall vote, and then the Governor or President of the said Settlement, or the Counsellor acting as the Governor or President of the said Settlement, shall next vote, and then the Resident Counsellor if he shall be present.

PROVIDED ALWAYS, That in case the Judges present at any Time shall consist of only two, and they shall be divided in their Opinions, the Recorder, if present, and if the Recorder shall be absent, then the Governor or President of the said Settlement, shall have a double or casting Voice.

PROVIDED

PROVIDED ALSO, And We further will and direct, That no Court shall be holden, and that no Act shall be done by the said Court without the Presence of the Recorder of *Prince of Wales' Island, Singapore, and Malacca*, for the Time being, if he shall be resident within the said Settlement, or the Places now, or at any Time hereafter to be subordinate or annexed thereto, unless the Governor or President of the said Settlement, or the Counsellor acting as such, shall authorize the Court to sit and act in the Absence, of the Recorder; and in such Case We direct, that the granting of such Authority shall be noticed and recorded on the Proceeding of the said Court. But in all Cases of the Absence of the Recorder from the said Court, and in case of Vacancy of the office of Recorder, We declare that it shall be lawful for the Governor or President of the said Settlement, or the Counsellor acting as such, to adjourn the Trial, Hearing, or Decision of any Cause, or any Matter to be considered or done by the said Court, from Time to Time, as he shall see fit, until the said Office of Recorder shall be full and the Recorder shall be present.

No Act to be done by the Court in the Absence of the Recorder, without the special License of the Governor or Counsellor acting as such, with Power to adjourn any Matter till the Recorder shall be present.

AND We do hereby direct, ordain, and appoint, That such Salaries and Emoluments as shall, from Time to Time, be paid, given, or allowed to the said Governor or President and Counsellors, for their Services as Governor or President and Council of the said Settlement, shall be accepted and taken by them in full Satisfaction for their Services as Judges of the said Court, and that they, or any of them, shall not be entitled to have or receive any Salary, Fee, Perquisite, or Emolument whatsoever, as Judges of the said Court.

Governor and Council to have no Salaries, Fees, or Perquisites, as Judges.

AND We do hereby further direct, ordain, and appoint, That it shall and may be lawful to and for the said Recorder of *Prince of Wales' Island, Singapore, and Malacca*, to receive from the said *United Company* a yearly Salary of eighteen thousand Dollars; such Salary

The Recorder's Salary appointed.

to

to commence from the Time of his taking upon himself the Execution of the said Office at the said Settlement, and that such Salary shall be in lieu of all Fees of Office, Perquisites, Emoluments, or Advantages whatsoever. PROVIDED ALWAYS, and We direct, ordain, and appoint, That no Fees of Office, Perquisites, Emoluments, or Advantages whatsoever, other than and except the said Salary, shall be accepted, received, or taken by such Recorder, in any Manner, or on any Account or Pretence whatsoever; and that no Person holding the Office of Recorder of *Prince of Wales' Island, Singapore, and Malacca*, during the Time of holding and exercising the said Office, shall be capable of accepting, taking or performing any other Office, Place, or Employment, or of being engaged in, or carrying on any Trade, Traffic, or Business whatsoever, on Pain that the Acceptance of any such other Office, Place, or Employment, or the Engagement in or carrying on any such Trade, Traffic, or Business whatsoever, shall be and be deemed in Law, *de facto*, an Avoidance of his said Office. And We direct, That the Salary thereof shall thereupon cease, and be deemed to have ceased accordingly. PROVIDED ALWAYS, and We hereby declare, That nothing herein contained shall extend, or be construed to extend to prevent any Recorder of *Prince of Wales' Island, Singapore, and Malacca*, from taking upon him the Office of Executor to any Person or Persons, by whose last Will and Testament he may be appointed Executor, nor from taking upon him the Office of Administrator to any Person or Persons, so as that, in any such Case, such Recorder shall not receive, or be entitled to any Commission or other Compensation for transacting any Business to be done as such Executor or Administrator.

order restricted  
taking any  
Office or ex-  
ercising any other  
business.

S. T. Claridge  
pointed to be  
first Recorder  
*Prince of Wales'*  
and.

AND We do hereby constitute and appoint Our trusty and well-beloved, Sir *John Thomas Claridge*, Knight, to be the first Recorder of *Prince of Wales' Island, Singapore, and Malacca*, in Manner aforesaid,

aforesaid, the said Sir *John Thomas Claridge* being a Barrister in *England* of five Years' Standing and upwards.

AND We do further authorize and empower the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, from Time to Time, as Occasion shall require, to appoint one Person resident within the said Settlement, to be and be called "the Registrar of the Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*," which Registrar shall hold the said Office during the Pleasure of the said Court, and who by himself, or his Clerk or Clerks to be appointed and paid by him, and for whose Conduct he shall be responsible, shall make out and issue all the Process of the said Court, and enter up the Records, and register the Proceedings thereof, and do such other Duties as he shall hereby, or by the said Court of Judicature, be authorized or required to do, and as are incidental to the said Office of Registrar of the said Court, and who before he shall enter upon the Execution of his Office, shall take an Oath in open Court faithfully to execute the same, and also the Oath of Allegiance, of which Oaths a Record shall be made and entered on the Proceedings of the said Court.

PROVIDED ALWAYS, That no Clerk or Clerks shall be appointed by the said Registrar to assist him in the execution of his Office without the Approbation of the said Court for that Purpose first had and obtained; and that every Clerk who shall be employed by the said Registrar, as herein-before is mentioned, shall be responsible immediately for the Execution of Duties he shall be required to perform, in like Manner as if he was a principal Officer of the said Court, and shall be liable to Dismission by and at the Pleasure of the said Court; and before he shall enter upon the Execution of his Office shall take an Oath in open Court, faithfully to execute the same, and also the Oath of Allegiance, of which Oaths

Court empowered to appoint a Registrar.

Registrar's Clerks to be subject to the Control of the Court.



Oaths a Record shall be made and entered in the Proceedings of the said Court.

to be ap-  
l. AND We do further, for Us, Our Heirs and Successors, grant, ordain, and appoint, That as soon as conveniently may be after the Arrival of these Our Letters Patent at the said Settlement, the Governor in Council of the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, shall appoint one fit and proper Person to be, and who shall be Sheriff of the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now or at any Time hereafter to be subordinate or annexed thereto; and such Sheriff, when appointed, shall, as soon as conveniently may be, and before he shall enter upon his said Office, take an Oath faithfully to execute his Office, and the Oath of Allegiance before the Governor, or in his Absence the Resident Counsellor (who are hereby respectively authorized to administer the same), and shall continue in such Office until another shall be duly appointed and sworn into the said Office. AND We do further, for Us, Our Heirs and Successors, grant, direct, and appoint, That the Governor in Council of the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, aforesaid, for the Time being, shall yearly, on the twentieth Day of September, proceed to the appointment of a new Sheriff for the Year ensuing, to be computed from the twenty-ninth Day of September next after such Appointment; which Sheriff, when appointed, shall as soon as conveniently may be, and before he shall enter upon his said Office, take such Oaths as hereinbefore are mentioned as to the Person to be appointed first Sheriff, which Oaths shall be taken before the Governor, or in his Absence the resident Counsellor (who are hereby respectively authorized to administer the same), and shall continue in such Office during the space of one whole Year, to be computed from the said twenty-ninth day of September, and until another Person shall be duly appointed and sworn into

into the said Office. And in case such Sheriff shall die in his Office, or depart from the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, then another Person shall and may, as soon as conveniently may be after the Death or Departure of such Sheriff, be in like Manner appointed and sworn in as aforesaid, and shall continue in his Office for the Remainder of the Year, and until another Sheriff shall be duly appointed and sworn in the said Office. AND We do further order, direct, and appoint, That the said Sheriff and his Successors shall, by themselves or their sufficient Deputies, to be by them appointed and duly authorized under their respective Hands and Seals, and for whom he and they shall be responsible during all his or their Continuance in such Office, execute, and the said Sheriff and his said Deputies are hereby authorized and required to execute, all the Writs, Summonses, Rules, Orders, Warrants, Commands, and Process of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, and make Returns of the same, together with the Manner of the Execution thereof, to the said Court, and to receive and detain in Prison all such Persons as shall be committed to the Custody of such Sheriff by the said Court, or by any of the Judges thereof, or any other Person having competent Authority so to do; and to do all such Acts, Matters, and Things, and perform all such Duties, as nearly as Circumstances, shall admit or require, as are or ought to be done and performed by the Sheriff of any Shire or County within that Part of Our United Kingdom called *England*.

AND We further direct, ordain, and appoint, That whenever Provision for Execution of Process the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall direct or award any Process against the said Sheriff, or award any Process in any Cause, Matter, or Thing, wherein the said Sheriff, on account of his being related to the Parties, or any of them, or by reason of any good Cause of Challenge

lenge which would be allowed against any Sheriff in that Part of Our United Kingdom called *England*, cannot or ought not by Law to execute the same, in every such Case the said Court of Judicature shall name and appoint some other fit Person to execute and return the same; and the said Process shall be directed to the said Person so named for that purpose, and the Cause of such special Proceedings shall be suggested and entered on the Records of the said Court.

use authorizing  
appointment of  
Coroners.

AND We do hereby further grant, declare, and ordain, That the Governor in Council of the said Settlement of *Princetown*, *Wales*, *Island*, *Singapore*, and *Malacca*, shall have full Power and Authority, by Orders in Council, from Time to Time to nominate and appoint so many Coroners as they shall respectively think fit, or as shall be limited by the Court of Directors of the said Company, and by like Orders to supersede and remove the Persons so appointed, as Occasion may appear to require; and that the Persons so nominated, and taking and subscribing before one of the Judges of the said Court of Judicature the Oath of Allegiance, and the like Oath of Office as is directed to be taken by the Coroners of Counties in *England*, shall and may have, do, execute, perform, and exercise the like Powers, Authorities, and Jurisdictions within the said Settlement, as by Law may be had, done, executed, performed, or exercised, by Coroners elected for any County or Place in *England*, and not otherwise or in any other Manner; and that such Coroners shall have and be entitled to such reasonable Fees and Allowances for the Performance of the Duty of their said Office, as shall be limited or prescribed by the said Court of Judicature in that Behalf.

Court to settle  
Table of Fees  
for Registrar,  
Sheriff, and Coro-

AND We do hereby further authorize and empower the said Court of Judicature to settle a Table of the Fees to be allowed to such Registrar, Sheriff, and Coroner, for all and every Part of the Business

Business to be done by them respectively ; which Fees the said Registrar, Sheriff, and Coroner shall and may lawfully demand and receive. AND We do further authorize the said Court, from Time to Time, to vary the said Table of Fees as there shall be Occasion. / AND We do hereby require and enjoin the said Court, within one Year after these Our Letters Patent shall have been published at the said Settlement, and by the first convenient Opportunity after the settling and Allowance of the said Table of Fees, to certify, under the Hands of the said Governor or President and the Recorder, and to transmit to the Court of Directors of the said United Company, to be by them or their Order delivered, with their Observations thereon, to the Board of Commissioners for the Affairs of India, to be laid before Us, Our Heirs and Successors, for Our and their Royal Approbation and Correction, a true Copy of the said Table of Fees, and also any Variation of the said Table to be made as aforesaid, by the first convenient Opportunity after the same shall have been so varied. AND We further direct and appoint, That the said Table, and the said Alterations and Variations thereof (if any Alteration or Variation shall be made) shall be hung up in some conspicuous Part of the Hall or Place at each of the said three Stations of *Prince of Wales' Island, Singapore, and Malacca*, where the said Court of Judicature shall be publicly holden.

AND We further authorize and empower the said Court to settle and adjust what Salary or Salaries, or what Proportion of the Fees to be allowed to the Registrar, Sheriff, and Coroner, respectively, shall be paid and allowed by them, respectively, to any Clerk or Clerks, Under-Sheriff or Officers, to be employed by or under them respectively.

Court to settle the allowances to Registrar, Clerks, and Sheriff's Officers.

AND We do further grant, ordain, and appoint, That the said Court of Judicature shall have and use, as occasion may require

This Court is to have a Seal bearing His Majesty's

s, which is to  
 apt by the Go-  
 or or Senior  
 isellor.

a Seal bearing a Device and Impression of Our Royal Arms within  
 an Exergue or Label surrounding the same, with this Inscription;  
 "The Seal of the Court of Judicature of *Prince of Wales' Island*,  
*Singapore*, and *Malacca*." AND We do hereby grant, ordain, and  
 appoint, That the said Seal shall be delivered to and kept in the  
 Custody of the Governor or President of the said Settlement; and  
 in case of Vacancy of the Office of Governor or President, the same  
 shall, from Time to Time, be delivered over, and kept in the  
 Custody of the Recorder of the said Court, with full Liberty to the  
 said Governor or Recorder to deliver the same to any other Judge  
 of the said Court, for any temporary Purpose or Purposes. AND  
 We do hereby grant, ordain, and appoint, That if it shall happen  
 that the said Seal shall by any Means come to the Hands of any  
 Person or Persons, other than such Person as for the Time being is  
 hereby authorized to have the Custody thereof, the said Court of  
 Judicature of *Prince of Wales' Island*, *Singapore*, and *Malacca*,  
 shall be, and is hereby authorized and empowered to demand, seize,  
 and take the said Seal from any Person or Persons whomsoever, by  
 what Way and Means soever the same may have come to his, her,  
 or their Possession, other than the Person for the Time being  
 hereby authorized and required to have the Custody thereof, and  
 shall forthwith deliver such Seal to such Person as shall, for the  
 Time being, be authorized by these Presents to have the Custody  
 of such Seal as aforesaid.

Writs are to be  
 under the  
 in the name  
 King, and to  
 bested in the  
 of the Gover-  
 President.

AND We hereby grant, ordain, and appoint, That all Writs,  
 Summonses, Precepts, Rules, Orders, and other mandatory Process  
 to be used, issued, or awarded by the said Court of Judicature,  
 shall run and be in the Name and Style of Us, or of Our Heirs and  
 Successors, and shall be sealed with the Seal of the said Court, and  
 shall have and bear the Attestation of the Governor or President of  
 the said Settlement, or during a Vacancy of the said Office, then of  
 the Recorder of the said Court, and shall be signed by the said  
 Recorder

Recorder, or by the Registrar of the said Court, whose Duty it shall be to prepare and make out the same.

AND it is Our further Will and Pleasure, That the said Court of Jurisdiction of the  
 Judicature of *Prince of Wales' Island, Singapore, and Malacca*, and Court defined.  
 the several Judges of the said Court, shall severally and respectively  
 be, and the said Court is, and they are all, and each, and every of  
 them is hereby appointed to be Justices and Conservators of the  
 Peace and Coroners, within and throughout the said Settlement of  
*Prince of Wales' Island, Singapore, and Malacca*, and the Places  
 now or at any Time hereafter to be subordinate or annexed thereto,  
 and to have such Jurisdiction and Authority as Our Court of King's  
 Bench and Our Justices thereof, and also as Our High Court of  
 Chancery and Our Courts of Common Pleas and Exchequer,  
 respectively, and the several Judges, Justices, and Barons thereof,  
 respectively, have and may lawfully exercise within that Part of  
 Our United Kingdom called *England*, in all civil and criminal  
 Actions and Suits, and in Matters concerning the Revenue, and in  
 the Control of all inferior Courts and Jurisdictions, as far as Cir-  
 cumstances will admit. AND further, That the said Court of Judi-  
 cature shall have and exercise Jurisdiction as an Ecclesiastical  
 Court, so far as the several Religions, Manners, and Customs of  
 the Inhabitants of the said Settlement and Places will admit. AND  
 That the said Court shall have full Power, and is hereby authorized  
 to hear, examine, try, and determine, in Manner hereinafter men-  
 tioned, all Actions and Suits which shall or may arise or happen,  
 or be brought or promoted, upon or concerning any Tresspasses or  
 Injuries, of what Nature or Kind soever, or any Debts, Duties, De-  
 mands, Interests, or Concerns, of what Nature or Kind soever, or  
 any Rights, Titles, Claims, or Demands, of, in, or to any Houses,  
 Lands, or other Things, real or personal, within the said Settlement  
 of *Prince of Wales' Island, Singapore, and Malacca*, and the Places  
 now, or at any Time hereafter to be subordinate or annexed thereto,  
 or

or touching the Possession, or any Interest or Lieu in or upon the same; and all Pleas, real, personal, or mixed, the Causes, of which shall or may hereafter arise, accrue, and grow, or shall have heretofore arisen, accrued, and grown against the said *United Company*, and against any Persons who shall be resident within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, or the Places now, or at any Time hereafter to be subordinate or annexed thereto, or who shall have resided there, or who shall have any Debts, Effects, or Estate, real or personal, within the same, and against the Executors and Administrators of such Person. PROVIDED ALWAYS, That it shall not be competent to the said Court of Judicature to try or determine any Suit or Action against any Person who shall never have been resident in the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, or any of the Places now, or at any Time hereafter to be subordinate or annexed thereto, or any one of them, nor against any Person then resident in *Great Britain or Ireland*, unless such Suit or Action against such Person, so then resident in *Great Britain or Ireland*, shall be commenced within two Years after the Cause of Action arose, and the Sum to be recovered be not of greater Value than twelve thousand Dollors.

governor and  
counsellors and  
order not to be  
sted.

PROVIDED ALWAYS, and We do hereby declare, That nothing in this Charter shall extend, or be construed to extend to subject the Person of the Governor or President, or any of the Counsellors of the said Settlement, or the Person of the Recorder of *Prince of Wales' Island, Singapore, and Malacca*, to be arrested or imprisoned in any civil Suit, Action, or Proceeding in the said Court.

Court to exer-  
Authority over  
Persons and  
ties of Infants  
Lunatics.

AND We do hereby authorize the said Court of Judicature to appoint Guardians and Keepers for Infants and their Estates, according to the Order and Course observed in that Part of Our United Kingdom called *England*, and also Guardians and Keepers of

of the Persons and Estates of natural Fools, and of such as are or shall be deprived of their Understanding or Reason by the Act of God, so as to be unable to govern themselves and their Estates, which We hereby authorize and empower the said Court to inquire, hear, and determine, by Inspection of the Person, or such other Ways and Means by which the Truth may be best discovered and known.

AND it is Our further Will and Pleasure, and We do hereby, for Us, Our Heirs and Successors, grant, ordain, establish, and appoint, That the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall be a Court of Ecclesiastical Jurisdiction, with full Power to grant Probates, under the Seal of the said Court, of the last Wills and Testaments of all or any of the Inhabitants of the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any Time hereafter to be subordinate or annexed thereto, dying within the said Settlement, and of all other Persons who shall die and leave personal Effects within the said Settlement, or the Places now, or at any Time hereafter to be subordinate or annexed thereto; and to commit Letters of Administration, under the Seal of the said Court, of the Goods, Chattels, Credits, and all other Effects whatsoever of the Persons aforesaid, who shall die intestate, or who shall not have named an Executor resident within the said Settlement and Places aforesaid, or where the Executor being duly cited shall not appear and sue forth such Probate, annexing the Will to the said Letters of Administration, when such Persons shall have left a Will without naming any Executor, or any Person for Executor, who shall then be alive and resident within the said Settlement and Places aforesaid, and who being duly cited thereunto will not appear and sue forth a Probate thereof; and to sequester the Goods and Chattels, Credits, and other Effects whatsoever of such Persons so dying, in Cases allowed by Law, as the same is and may

The Court to exercise Ecclesiastical Jurisdiction and grant Probates of Wills, &c.



may now be used in the Diocese of *London*, and to demand, require. take, hear, examine, and allow, and if occasion require, to disallow and reject the Account of them, in such Manner and Form as is now used, or may be used, in the said Diocese of *London*, and to do all other Things whatsoever needful and necessary in that Behalf. PROVIDED ALWAYS, and We do hereby authorize and require the said Court, in such Cases as aforesaid, where Letters of Administration shall be committed with the Will annexed, for Want of an Executor appearing in due Time to sue forth the Probate, to reserve in such Letters of Administration full Power and Authority to revoke the same, and to grant Probate of the said Will to such Executor or Executors, whenever he or they shall duly appear and sue forth the same. AND We do hereby further authorize and require the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, to grant and commit such Letters of Administration to any one or more of the lawful next of Kin of such Person so dying as aforesaid, and being then resident within the Jurisdiction of the said Court, and being of the Age of twenty-one Years; and in case no such Person shall then be residing within the Jurisdiction of the said Court, or being duly cited shall not appear and pray the same, to the Registrar of the said Court, or to such Person or Persons, whether Creditor or Creditors or not of the deceased Person, as the Court shall see fit. PROVIDED ALWAYS, That Probates of Wills and Letters of Administration to be granted by the said Court shall be limited to such Money, Goods, Chattles, and Effects, as the deceased Person shall be entitled to within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any Time hereafter to be subordinate or annexed thereto.

istrators are  
Security by  
for duly ad-  
ering Effects,  
the Diocese  
don.

AND We do hereby further enjoin and require, That every Person to whom such Letters of Administration shall be committed, shall, before the granting thereof, give sufficient Security,  
by

by Bond, to be entered into the said *United Company*, for the Payment of a competent Sum of Money, with one, two, or more able Securities, Respect being had in the Sum therein to be contained, and in the Ability of the Sureties, to the Value of the Estate, Credits, and Effects of the Deceased; which Bond (if Administration shall be granted to the Registrar of the said Court), shall be deposited in the Treasury of the said *United Company* for the said Settlement, and if granted to any other Person or Persons, shall be deposited in the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, among the Records thereof, and there safely kept, and a Copy thereof shall be also recorded among the Proceedings of the said Court. And Condition of the said Bond shall be to the following effect: That if the above-bounden Administrator of the "Goods, Chattels, and Effects of  
 " the Deceased do make, or cause to be made, a true and perfect  
 " Inventory of all and singular the Goods, Credits, and Effects of  
 " the said Deceased, which have or shall come to the Hands, Possession, or Knowledge of him the said Administrator, or the  
 " Hands or Possession of any other Person or Persons for him,  
 " and the same so made do exhibit, or cause to be exhibited, into  
 " the Court of Judicature of *Prince of Wales' Island, Singapore,*  
 " and *Malacca*, at or before a Day therein to be specified, and the  
 " same Goods, Chattels, Credits, and Effects, and all other the  
 " Goods, Chattels, Credits, and Effects of the Deceased, at the  
 " Time of his Death, or which at any Time afterwards shall come  
 " to the Hands or Possession of such Administrator, or to the  
 " Hands or Possession of any other Person or Persons for him,  
 " shall well and truly administer according to Law, and further  
 " shall make, or cause to be made, a true and just Account of his  
 " said Administration, at or before a Time therein to be specified,  
 " and afterwards from Time to Time, as he, she, or they shall be  
 " lawfully required, and all the Rest and Residue of the said  
 " Goods, Chattels, Credits, and Effects, which shall be found from

E

" Time

"Time to Time remaining upon the said Administration Ac-  
 "counts, the same being first examined and allowed of by the  
 "said Court of Judicature of *Prince of Wales' Island, Singapore,*  
 "and *Malacca*, shall and do pay and dispose of, in a due Course  
 "of Administration, or in such Manner as the said Court shall  
 "direct, then this Obligation to be void and of none effect, or  
 "else to remain in full Force and Virtue." AND in case it shall  
 be necessary to put the said Bond in Suit, for the Sake of obtain-  
 ing the Effect thereof for the Benefit of such Person or Persons as  
 shall appear to the said Court to be interested therein, such Person  
 or Persons from Time to Time giving satisfactory Security for  
 paying all such Costs as shall arise from the said Suit, or any Part  
 thereof, such Person or Persons shall, by Order of the said Court,  
 be allowed to sue the same in the Name of the said *United Com-*  
*pany*, and the said Bond shall not be sued in any other manner.  
 AND We do hereby authorize and empower the said Court to order  
 that the said Bond shall be put in Suit in the name of the said  
*United Company*.

AND We further will, order, and require, That the said Court  
 shall fix certain Periods, when or within which all Persons to whom  
 Probates of Wills, and Letters of Administration shall be granted  
 by the said Court, shall from Time to Time, until the Effects of  
 the deceased Persons shall be fully administered, pass their Ac-  
 counts relating thereto before the said Court. AND in case the  
 effects of the Deceased shall not be fully administered within the  
 Time for that Purpose to be fixed by the said Court, then, or at  
 any earlier Time, if the said Court shall see fit so to direct the  
 Person or Persons to whom such Probate or Administration shall  
 be granted, shall pay and deposit the Balance of Money belonging  
 to the Estate of the Deceased, then in his, her, or their Hands, and  
 all Money which shall afterwards come into his, her, or their Hands;  
 and also all precious Stones, Jewels, Bonds, Bills, and Securities  
 belonging

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 and Admi-  
 rs.

belonging to the Estate of the Deceased, into and in the Treasury of the said *United Company*, in the Name of the Accountant-General of the said Court, to abide the Orders of the said Court; or shall otherwise dispose of such Money, Goods, Chattels, and Securities, as the said Court shall direct. AND We require That the said Court shall, from Time to Time, make such Order as shall be just for the due Administration of such Assets, and for the Payment or Remittance thereof, or any Part thereof, as Occasion shall require, to or for the Use of any Person or Persons, whether resident or not resident in the said Settlement, who may be entitled thereto, or any Part thereof, as Creditors, Legatees, or next of Kin, or by any other Right or Title whatsoever. AND We further ordain, and direct, That it shall be lawful for the said Court to allow to any Executor or Administrator of the Effects of any deceased Person or Persons (except as herein-mentioned) such Commission or Per-centage, out of his, her, or their Assets, as shall be just and reasonable, for their Pains and Trouble therein. PROVIDED ALWAYS, That no Allowance whatever shall be made for the Pains and Trouble of any Executor or Administrator who shall neglect to pass his Accounts at such Time, or to dispose of any Money, Goods, Chattels, or Securities with which he shall be chargeable, in such Manner as, in Pursuance of any general or special Rule or Order of the said Court, shall be requisite. AND moreover, every Executor or Administrator, so neglecting to pass his Accounts, or to dispose of any such Money, Goods, Chattels, or Securities with which he shall be charged, shall be charged with Interest, at the Rate to be then current within the said Settlement, for such Sum and Sums of Money as, from Time to Time, shall have been in his Hands, whether he shall or shall not make Interest thereof.

AND to the End that Justice may be administered in the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, with all convenient Speed, known Form, and certain

The Method of commencing and prosecuting Civil Suits, and of proceeding in

all Cases in which any Order of the Court shall be necessary.

Effect, Our Will and Pleasure is, and We do hereby grant, ordain, and appoint, That upon any Cause of Action or Suit supposed to have arisen and to be cognizable by the said Court in any of its Jurisdictions herein-mentioned, upon any Occasion where the Aid of the said Court shall be required, it shall be lawful and competent for any Person whomsoever, by himself or herself, or his or her lawful Attorney, or his Friend or Agent, to prefer, verbally or in Writing, to the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, or to any of the Judges or the Registrar thereof, his or her Complaint, and thereupon the Recorder of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, or the Registrar of the said Court, or the Clerk of such Registrar, by his Direction, shall reduce the Substance of the said Complaint, if verbal, into Writing; or if it shall be preferred in Writing, he shall divest it of all extraneous Matter, and set down the Substance thereof in a Writing to be drawn up, if it shall require to be re-drawn; and such Complaint shall be in, or shall be reduced into the Form of a Petition to the said Court, stating shortly the Substance of the Matter complained of, or touching which the Aid of the Court is required, and praying that Justice may be done, as the Case shall require, and such Petition shall be filed of Record in the said Court. Whereupon the said Court shall, and is hereby authorized and required to award and issue a Summons in Writing, to be prepared by the Registrar of the said Court, directed to the Sheriff, intimating shortly the Cause of Action or Suit set forth in such Petition, and commanding the said Sheriff to summon the Person or Persons against whom the said Complaint shall have been preferred, and all others whom it shall appear to the said Court to concern, to appear, at a certain Time and Place therein to be specified, to answer or appear to the said Complaint or Petition as Justice shall require: which said Summons, and the Execution thereof, the said Sheriff shall duly return and certify to the said Court of Judicature, and the Person or Persons so summoned shall

shall accordingly appear; and such Person or Persons, or any others having an Interest, and appearing voluntarily without Summons, shall confess the Truth of the Complaint, or may plead thereto such Matter of Exception or Defence (excepting always Matters of mere Form) as he, she, or they shall see fit; or such Person or Persons so summoned or voluntarily appearing, shall be compellable, and if necessary, be compelled to make a full Answer or Answers and Discovery, on Oath, as on a Bill filed on the Equity Side of Our High Court of Chancery, and requiring an Answer and Discovery, as the Cases may require; and the full Substance of such Confession, Plea, Defence, or Answer, as the Case may be, shall be reduced into Writing and annexed to the Petition, and which Petition, Confession, Plea, Defence, or Answer may be amended or withdrawn, from Time to Time, and upon such Terms as substantial Justice shall appear to the said Court to require: and after such Appearance, the said Court of Judicature shall proceed from Time to Time, assigning reasonable Days to the said Parties, or to any other Party or Parties lawfully intervening in the Suit and alleging an Interest therein; or who shall appear to the Court to be necessary Parties, to hear their respective Allegations, as Justice may require, and examine the Truth thereof (that is to say): in Cases arising out of personal Contract or Obligation, as well on the Oath of the Parties to the Suit, where such Oath may lawfully be tendered by the Court; and if it shall appear to the Court necessary to examine any Party on Oath, as also upon the Oath or Oaths of such competent and credible Witnesses as the Parties shall produce in Court, respectively, and in all other Cases upon the Oath or Oaths of such Witnesses as aforesaid. To which End, We hereby authorize and empower the said Court of Judicature, at the Request of any Party, to issue a Summons, to be prepared by the Registrar of the said Court or Person acting as such, directed to every one of such Witnesses, commanding him or her to appear, at a Time and Place

Witnesses to be summoned.

Place to be specified in such Summons, to depose his or her Knowledge touching the Suit so depending between the Parties, naming them, and specifying at whose Request such Summons shall have issued. And upon the Appearance of the said Witnesses, or any of them, the said Court of Judicature may, and is hereby required to order and decree to them and each of them, such reasonable Sum of Money for his, her, or their Expenses, as the said Court shall think fit, whether such Witnesses shall be examined or not the same to be paid forthwith by the Party at whose Request the said Summons shall have issued; and if the said Sum of Money, so ordered and decreed, shall not be forthwith paid or secured to such Witnesses, to the Satisfaction of the said Court, the Party to whom it shall belong to pay the same shall not only lose the Benefit of such Witness's Testimony, but shall be compelled to pay him, her, or them, the Money so ordered and awarded, by such Ways and Process as are hereinafter provided for enforcing the Payment and Satisfaction of Money recovered by Judgment, Sentence, or Decree of the said Court. And the said Court of Judicature is hereby authorized and empowered to administer to such Witnesses and others, whom they may see Occasion to examine, proper Oaths and Affirmations (that is to say): to such Persons as profess the Christian Religion, the Oath upon the Holy Evangelists of God; and to Quakers, the Affirmation, according to the Form used in *England* for that Purpose; and to others, such Oath, in such Manner and Form as the said Court shall esteem most binding on their Consciences respectively. And the said Court of Judicature is, on the Trial or Hearing of all such Causes as are hereinafter declared to be appealable, required to cause the Depositions to be reduced into Writing, and subscribed by the several Witnesses with their Name or other Mark, and to annex the same to the Petition and the Plea or Answer, and to file the same of Record; and in case any Person or Persons, so cited, shall refuse, or wilfully neglect to appear and be sworn, or being Quakers

are to be  
in such Way  
may be most  
binding on their  
science

Quakers to affirm and be examined, or to subscribe such their Depositions as aforesaid. as the said Court of Judicature shall appoint, the said Court is hereby empowered to punish such Persons so refusing or wilfully neglecting, as for a Contempt, by Fine, Imprisonment, or other corporal Punishment, not affecting Life or Limb. Witnesses in contempt, to be fined or imprisoned.

AND We do further give to the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, full Power and Authority, upon examining and considering the several Allegations and Proofs of the said Parties to such Suit, or to such of them as shall appear at the Trial or Hearing thereof, or of the Complainant or Complainants, or Parties promoting such Suit alone, in case the Defendant or Defendants shall make Default after Appearance, or say nothing, or confess the Petition of Complaint or *ex-parte* the Petitioner, if Justice shall so require, and on examining and considering the Depositions of the Witnesses, to give and pass Judgment and Sentence according to Justice and Right: And in case of any Proceeding removed from or originating in any inferior Court of Judicature, to remit the same thereto, as substantial Justice shall best be attainable; and also to award and order such Costs to be paid by either or any of the Parties to the other or others, as the said Court shall think just. The Court to give Judgment according to Justice and Right.

AND We do farther authorize and empower the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, to award and issue a Writ or Writs, or other Process of Execution, to be prepared in Manner before-mentioned, and directed to the said Sheriff for the Time being, commanding him to seize, and deliver the Possession of the Houses, Lands, or other Things recovered in and by such Judgment, Sentence, or Decree, or to levy any Sum of Money which shall be so recovered, or any Costs which shall be so awarded, as the Case may require, by seizing and selling. The Court to award Execution.



ling so much of the Houses, Lands, Debts, or other Effects, real and personal, of the Party or Parties against whom such Writ or Writs shall be awarded, as will be sufficient to answer and satisfy the said Judgment; or to take and imprison the Body or Bodies of such Party or Parties, until he, she, or they shall make such Satisfaction, or to do both, as the Case may require. AND We direct and appoint, That the several Debts to be seized as aforesaid, shall from the Time the same shall be extended and returned into the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, be paid and payable in such Manner and Form as the said Court shall appoint, and no other; and such Payment, and no other, shall form thenceforth be an absolute and effective Discharge for the said Debts, and every of them respectively. AND We do hereby further authorize and empower the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, to make such further and other interlocutory Rules and Orders as the Justice of the Proceeding may seem to require.

empowered  
to make interlocu-  
tory Orders, &c.

sion as to  
Suits for Suitors.

PROVIDED ALWAYS, and We hereby further declare, That no Person or Persons shall be permitted to appear or act as the Advocate, Solicitor, Attorney, Proctor, or Agent, or to plead verbally or in Writing, for any Suitor or Suitors in the said Court (save and except only for the said *United Company*), in any Action or Suit, or touching any Matter whatsoever, unless such Person or Persons shall have been previously permitted or licensed by the said Court to act as an Agent or Agents for the Suitors of the said Court, generally or specially, for the particular Occasion or Occasions. AND We further authorize and empower the said Court at its Pleasure, either assigning a Reason without assigning any Reason whatever, to withdraw or vacate any Permission or License which shall, at any Time, be granted to any Person or Persons to act, generally or specially, as the Agent or Agents of any Suitors or particular Suitor of the said Court. AND We further declare

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declare, That the Fees to be recieved by any such Agent or Agents whether general or special, shall at all Times be subject to the Control and Taxation of the said Court, as well in Court as on Reference to the said Recorder or the said Registrar, if the said Court shall see fit to make such Reference, in like Manner as Costs may be taxed in Our said Court of King's Bench at *Westminster*, either as between Party and Party or as between Attorney and Client, as the Case may require.

PROVIDED ALSO, And We hereby direct, That all Examinations of Witnesses by the said Court, and all Hearings and Trials, whether in Chief or on interlocutory Matters, and all Judgments, Sentences, and Decrees to be made and passed, shall be taken, had, and passed publicly. PROVIDED ALWAYS, That it shall be lawful for the Judges of the said Court, out of Court, and in Vacation, to make such Orders and do Acts of such Natures as are usually done out of Court and in Vacation, by the Judges of any of our Courts at *Westminster*; but the Orders and Acts of the said Judges out of Court are, nevertheless, to be subject to the Review and Control of the Court.

PROVIDED ALWAYS, and We hereby further declare, That except in the Case of the Vacancy of the Office of Recorder of *Prince of Wales' Island, Singapore, and Malacca*, or in case of the Absence of the said Recorder from the said Settlement, or in case, by Reason of Sickness or other Misfortune, the said Recorder shall be incapable of attending to Business, that none other of the Judges of the said Court shall be competent to make any Order, or do any Act out of Court, in any civil Matter, Suit, or Concern, unless the Recorder shall be previously summoned to meet the Judge about to make such Order, or do such Act, in order to assist him with his Opinion thereon. PROVIDED ALWAYS, and We hereby further declare, That no Writ of or in the Nature of a Writ of

As to Acts to be done by the Judges out of Court, and as to Returns to *Habeas Corpus* out of Court.

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*Habeas*

*Habeas Corpus ad subjiciendum* shall be returnable in Vacation-Time, or during any Adjournment of the said Court, before any of the Judges of the said Court, other than the Recorder; except in the Case of the Vacancy of the Office of Recorder, or in the Case of the Absence of the Recorder from the said Settlement, or of his being unable by reason of Illness to transact Business; but we direct, that upon any such Return of any Writ of *Habeas Corpus*, to produce the Body or Bodies of any Person or Persons committed or detained in Custody by, or by the Authority or Direction of the Governor or President of the said Settlement, or any of the Council of the said Settlement, Notice of such Return shall be forthwith given to the said Governor or President, or to the Counsellor acting as such for the Time being, and no such Prisoner or Prisoners shall be released or discharged out of Custody by the said Recorder out of Court, until the Expiration of forty-eight Hours from the Time when such Notice shall have been given, unless the Governor or President, or the Counsellor acting as such, shall in the Meantime, by Writing under his Hand, authorize the Recorder to proceed out of Court to the Consideration of the Matter of the Return; and in case the said Governor or President, or the Counsellor acting as such, shall cause the said Court of Judicature to be specially convened before the Expiration of the said forty-eight Hours, the Matter of such Return shall be proceeded upon in Court only.

as to arrest a  
 person on  
 a Process in  
 the Cases.

AND in case the Party, so summoned as aforesaid, shall not appear upon the Return of such Summons or Precept as aforesaid, according to the Exigence thereof, or if the Cause of Action, as contained in such Petition of Complaint as aforesaid, shall exceed the Value of eighty Dollars, or shall be in the Nature of a personal Wrong, and in either or any of the said Cases, the said Court shall be satisfied, by Affidavit or Affirmation to be filed of Record, that the Case is such as to require Security, then after Return of such

Summons

Summons, or in Lieu thereof, the said Court is hereby authorized and empowered to award and issue a Writ or Warrant directed to the said Sheriff, commanding him to arrest and seize the Body of such Defendant, and to have the same, at a Time and Place in the said Writ to be specified, before the said Court, to answer the said Complaint. And the said Court may, in and by the said Writ or Warrant, authorize the said Sheriff to deliver the Body of such Defendant, so arrested, to sufficient Bail, that such Defendant shall appear, at a Time and Place mentioned in such Writ or Warrant, and in all Things perform and fulfil the Exigence thereof. And upon the appearance of such Defendant in and before the said Court, We do hereby authorize and empower the said Court to commit him to Prison to the said Sheriff, unless and until he shall give Bail, to the Satisfaction of the said Court, for paying the Debt, Damages, and Costs which shall be recovered against him in such Action, or for rendering himself to Prison; and in default, that the Bail will pay such Debt, Damages, and Costs, for him; which Bail We hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant to Bail. And if the said Sheriff, shall make Return upon either of the said Writs of Summons or *Capias*, and the Court shall be satisfied that the Defendant is not to be found within the Jurisdiction of the said Court, and the Plaintiff, or some other Person, shall by Affidavit, or in the Case of a Quaker by Affirmation, in Writing or otherwise, to the Satisfaction of the said Court, make Proof, verifying the Complainant's Demand, We do hereby grant, ordain, and appoint, that the said Court shall or may award and issue a Writ, in the Nature of a Writ of Sequestration, to be prepared in Manner above-mentioned, and directed to the said Sheriff, commanding him to seize and sequester the Houses Lands, Goods, Effects, and Debts of such Defendant, to such Value as the said Court shall think reasonable and adequate to the said Cause of Action so verified as aforesaid, and the same to

And in certain Cases to hold to Bail.

Prison of said Sheriff.

Effects of Defendants not appearing or not to be found, may be sequestered, and Proceedings taken to obtain Judgment and Execution.

detain till such Defendant shall appear and abide such Order of the said Court, as if he had appeared on the former Process. And the said Court shall, and if hereby authorized and empowered, according to their Discretion, either to cause the said Houses, Lands, Goods, Effects, and Debts, to be detained in Specie, or to be sold, and to give a Day to such Defendant, by Proclamation in open Court, from Time to Time, not exceeding two Years in the whole; and if such Defendant shall not appear on the last Day which the said Court in their Discretion shall think proper to give, and the Court shall be satisfied that due diligence has been used on the Part of the Complainant to give Notice of such Action or Actions to the Defendant or Defendants, it shall be lawful, and the said Court is hereby authorized, to proceed, *ex-parte*, to hear, examine, and determine the said Complaint and Suit or Cause of Action, and to give such Judgment therein, and award and order such Costs as aforesaid. And if Judgment shall, in such Case, pass for the Complainant, the said Court is hereby authorized and empowered to award and issue a Writ to the said Sheriff, to be prepared in Manner above-mentioned, commanding him to sell the said Houses, Lands, Goods, Effects, and Debts, so seized and sequestered, and to make Satisfaction out of the Produce thereof to the Complainant for the Debt or Sum so recovered, and his Costs, and to return the Overplus, if any there be, after satisfying the said Judgment and Costs, and the Expenses of the said Sequestration, to such Person in whose Possession the said Effects were seized, or otherwise to reserve the same for the Use of the said Defendant as Occasion shall require: and if such Effects shall not be sufficient to produce the Sum so to be recovered and the said Costs, the said Court is hereby further empowered to award and issue such Process of Execution for the Deficiency, as is herein-before provided for levying Money recovered by Judgment and Costs; and if Judgment shall, in such last-mentioned Case, pass for the Defendant, the said Court is authorized and empowered to award and order.

order the Costs of the said Suit, and the Expense of the said Sequestration, and all the Damages occasioned thereby, to be paid by the said Complainant to the said Defendant or his Attorney, or the Person in whose possession the said Effects were seized, the same to be levied by such Process as is hereinbefore provided for levying Costs; and the said Debts, from the Time of their being so seized and extended, and returned into Court, shall be payable in such Manner as the said Court shall direct, and no other.

AND We do hereby appoint, That all Affidavits taken in the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, or before any of the Judges thereof, or any Commissioner to be appointed by the said Court, shall be made on Oaths administered in such Form and Manner as is before-directed, in case of Witnesses to be examined before the same Court. PROVIDED NEVERTHELESS, That in all civil Cases, the Affirmation in Writing of a Quaker, which the said Court or the Judges thereof, respectively, or any Commissioner to be appointed by the said Court are hereby authorized and empowered to take, shall be of the same Weight, Authority, and Effect, as an Affidavit upon Oath.

*Affidavits and Affirmations, how to be taken.*

AND We do hereby further will, ordain, and declare, That it shall and may be lawful to and for the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, in any Part of its Jurisdiction, whether common Law, Equity, or Ecclesiastical, by Commission or Commissions under the Seal of the said Court, to authorize and appoint any fit or proper Person or Persons, either generally or in any particular Case, or with such Limitations as the said Court shall see fit, to receive the Acknowledgments of Recognizances of Bail and Bail-pieces, and to administer Oaths for the Justification of Bail, and for taking of any Affidavit or Affirmation, or for receiving and taking the Answer, Plea, Demurrer,

*Power for the Court to appoint Commissioners to take Affidavits, &c.*

Demurrer, Disclaimer, or Examination of any Party or Parties to any Suit, or for the Examination of any Witness or Witnesses upon Interrogatories, either *De bene esse* or in Chief, or on any other Occasions, and for swearing Executors or Administrators in any Suit, Matter, or Proceeding which may be pending, or about to be instituted in the said Court, upon such Occasion as the said Court shall think fit to issue such Commission. AND We direct and ordain, The such Commission and Commissions, so to be issued, shall respectively be issued, acted under, and returned, if the same shall require any Return, in such Manner and Form as such Matters are usually transacted by Commissions general or special, issued out of Our Court of King's Bench at *Westminster*, or Our High Court of Chancery, or the Ecclesiastical Court of the Diocese of *London*, respectively.

AND WHEREAS the said *United Company* have undertaken to be answerable to the Suitors of the said Court for all such Money, Jewels, precious Stones, and Securities, as under the Orders of the said Court shall be paid or delivered into, or deposited in the Treasury of the said *United Company* (except in Cases of Fire, foreign Invasions, civil Commotions, or other unavoidable Accidents, whereby the said Money, Jewels, precious Stones, or Securities, may be lost or damaged), and also to be at the Charge and Expense which may be occasioned by Reason of the depositing safe-keeping, and restoring of the said Money, Jewels, precious Stones, and Securities, at the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, We do therefore will and ordain, That all Money, Jewels, precious Stones, and Securities of the Suitors of the said Court, which shall be ordered into Court, or to be paid, delivered, or deposited for safe Custody, shall be paid, delivered into, or deposited in the public Treasury of the said *United Company* at the said Settlement, or into one of such public Treasuries, if there shall be more than one, to be kept and deposited

ors' Money  
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sited with the Cash, precious Stones, Jewels, and Effects of the said *Company*, subject to such Orders and Directions as the said Court shall from Time to Time think fit to make concerning the same, for the Benefit of the Suitors. AND We do further authorize and empower the said Court, from Time to Time, to order and direct any Money belonging to the Suitors of the said Court to be invested at Interest, or without Interest, for the Purpose of Remittance to any Place without the said Settlement, as there may be Occasion, for the Use and Benefit of the Parties respectively entitled thereto, on any Bills, Bonds, or Securities of the said *United Company*, or any other Bills, or Bonds, or Securities, as the said Court shall see to order and direct. AND We hereby declare, That all Executors, Administrators, Guardians, and Trustees whatsoever, acting, with respect to such Investment at Interest or for Remittance, under the Directions of the said Court, shall be indemnified against all Risk or Loss to be occasioned thereby.

AND We do, for Us, Our Heirs and Successors, give and grant unto the said *United Company*, That the said *United Company*, or their Court of Directors, or the major Part of them, or the Governor or President and Council of the said Settlement, or any two of them, the Governor or President always being one, shall have full Power and Authority, from Time to Time, to name and appoint the Treasurer of the said *Company* at the said Settlement, or any other Officer under the said *United Company*, to be and be called "the Accountant General of the Court of Judicature of "*Prince of Wales' Island, Singapore, and Malacca,*" and the same at their Pleasure to remove and another to appoint, who shall act, perform, and do all Matters and Things necessary to carry into Execution the Orders of the said Court, relating to the Payment or Delivery, or depositing of the Suitors' Money, Jewels, precious Stones, and Securities, into or in the said Treasury, and taking the same out again, and investing the Money of the Suitors at Interest

An Accountant  
General to be ap-  
pointed.



Interest or for Remittance, and keeping the Accounts thereof with the said Governor or President and Council and the Registrar of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, and for doing such other Matters relating thereto, under such Rules, Methods, and Directions, as shall from Time to Time be made and passed by the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*.

proceedings by or  
against the *Eas-*  
*dia Company*.

AND We do hereby grant, order, and direct, That in case any Person or Persons shall have any Action or Suit against the said *United Company*, he, she, or they shall be at Liberty to proceed therein, in like Manner as hereinbefore mentioned, and it shall and may be lawful for the said Court to issue their Summons for the Appearance of the said *United Company*, to be served upon the said Governor or President, and the resident Counsellor of the Station in which the Cause of Action or Suit shall have arisen, and thereupon the said Governor or President, and such resident Counsellor as aforesaid, shall appoint such Person or Persons to appear and act for the said *United Company* as they shall see fit, and such Person or Persons shall be admitted to answer and defend such Suit, in the Name and for and on the Behalf of the said *United Company*, and the said Court shall be at Liberty to issue Process of Sequestration against the Lands, Tenements, Chattels, Estate, and Effects of the said *United Company*, to compel their Appearance and Answer, and on Non-appearance, or for want of Answer of the said *Company*, to proceed in the same Way as the said Court might proceed against an Individual absent from the said Settlements, and on whose Behalf, after Sequestration of his Goods and Chattels, no Appearance should be entered or Answer given. AND We hereby authorize and empower the said Court to try, hear, and determine all such Actions and Suits against the said *United Company*, and to give Judgment and Costs, and award Execution, and do and order all such other Matters

Matters and Things therein, as far as the Case will admit, in such Manner as herein is mentioned, as to any Person or Persons whomsoever; subject, nevertheless, to such Right of Appeal by either Party as herein is mentioned. AND, in like Manner, if the said *United Company* shall have any Action or Suit against any Person or Persons, it shall and may be lawful to and for the said Governor or President and Council, or any two of them, the Governor or President being always one, to authorize any Person or Persons for and on Behalf of the said *Company*, and in their Name, to make Complaint thereof, in Writing, to the said Court, who shall proceed therein, and shall hear and determine the same as in other Cases; and in case Judgment or Sentence shall be given against the said *Company*, shall award Costs to be levied upon the Goods and Effects of the said *Company*, as they shall see Occasion, subject, nevertheless, to such Appeal by either Party as herein is mentioned.

AND We hereby further will, direct, and ordain, That the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, hereby established, shall frame such Process, and make such Rules and Orders for the Execution of the same, in all Suits to be commenced, sued, or prosecuted, within their Jurisdiction, as shall be necessary for the due Execution of all or any of the Powers hereby committed thereto, with an especial Attention to the different religious Manners and Usages of the Persons who shall be resident or commorant within its Jurisdiction, and accommodating the same to their several Religious, Manners, and Usages, and to the Circumstances of the Country, so far as the same can consist with the due Execution of Law and the Attainment of substantial Justice,

PROVIDED ALWAYS, and We do hereby further ordain and direct, That all Forms of Process, and Rules and Orders for the Execution

Court Empowered  
to frame Rules and  
Process.

Forms of Process  
to be transmitted  
to the Board of

rs for India, Majesty's Execution thereof, which shall be framed by the said Court, shall be transmitted to the Court of Directors of the said *United Company*, to be by the said Court of Directors communicated with their Observations to the Board of Commissioners for the Affairs of India, to be laid before Us, Our Heirs or Successors, for Our and Their Royal Approbation, Correction, or Refusal. AND We ordain and direct, That such Process shall be used, and such Rules shall observed, until the same shall be repealed or varied by Us, Our Heirs or Successors; and in the last Case, with such Variation as shall be made therein.

id Recorder to of the er and AND it is Our further Will and Pleasure, That the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall be a Court of Oyer and Terminer and Gaol Delivery in and for the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or any Time hereafter to be subordinate or annexed thereto, and have and be invested with the like Power and Authority as Commissioners or Justices of Oyer and Terminer and Gaol Delivery have or may exercise in that Part of Our United Kingdom called *England*, to inquire, by the Oaths of good and sufficient Men, of all Treasons, Murders, and other Felonies, Forgeries, Perjuries, Trespases, and other Crimes and Misdemeanours heretofore had, done, or committed, or which shall hereafter be had, done, or committed within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any Time hereafter to be subordinate or annexed thereto; and for that Purpose to issue their Warrant or Precept, to be directed to the said Sheriff, commanding him to summon a convenient Number, therein to be specified, of the principal Inhabitants resident within the said Settlement, or the Places now, or at any Time hereafter to be subordinate or annexed thereto, or of such other sufficient Persons as may be commorant there, to attend and serve, at a Time and Place

Place therein also to be specified, as a Grand Jury or Inquest for Us, our Heirs and Successors, and present to the said Court such Crimes and Offences as shall come to their Knowledge, and the said Crimes and Offences to hear and determine, by the Oaths of other good and sufficient Men resident within the said Settlement, or the Places now, or at any Time hereafter to be subordinate or annexed thereto; and for that Purpose to issue a Summons or Precept, prepared in such Manner as herein-before is mentioned, and directed to the said Sheriff, commanding him to summon a convenient Number to be therein specified, of such Inhabitants or Persons commorant at the said Settlement, to try all Indictments or Inquests. And if any Person or Persons to be summoned upon such grand or petit Jury, as aforesaid, shall refuse or neglect to attend according to such Summons, and be sworn upon such Inquest, We do hereby further empower the said Court to punish such Contempt by Fine or by Imprisonment for a reasonable Time to be limited, or by both. And We do further empower the said Court, in like Manner and under the like Penalties, to cause all such Witnesses as Justice shall require, to be summoned, and to administer to them and each of them the proper Oath (that is to say): to such as profess the Christian Religion, an Oath in such Manner and Form as the same would have been administered in *England*. and others, such Oaths, and in such Manner, as the said Court shall esteem to be most binding upon their Consciences; and to proceed to hear, examine, try, and determine the said Indictments and Offences, and to give Judgment thereupon, and to award Execution thereof, and in all respects to administer criminal Justice in such or the like Manner and Form, or as nearly as the Condition and Circumstances of the Place and the Persons will admit of, as our Courts of Oyer and Terminer and Gaol Delivery do or may, in that Part of our United Kingdom called *England*, due Attention being had to the several Religions, Manners, and Usages of the native Inhabitants.

25.

PROVIDED ALWAYS, and We hereby further declare, That no Grand Jury or Inquest shall consist of less than thirteen Persons or more than twenty-three; and that the Majority of the Persons to sit on such Grand Jury or Inquest (such Majority not being in any Case less than seven), shall be sufficient to authorize any Presentment to be made, or any Act to be done by them. AND We further declare, That no Person arraigned for any Offences whatsoever shall be admitted to any peremptory Challenge, above the Number of seven.

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tion.

PROVIDED ALWAYS, and We do hereby declare, That the said Court shall not be competent to hear, try, and determine any Indictment or Information against the Governor, or any of the Council, or the Recorder of *Prince of Wales' Island, Singapore,* and *Malacca*, not being for Treason or Felony, with which the Governor or any of the Council, or the said Recorder, shall or may be charged, in the Jurisdiction of the same.

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AND WHEREAS Cases may arise, wherein it may be proper to remit the general Severity of the Law, We do hereby authorize and empower the said Court, after Sentence passed, from Time to Time to respite or reprieve the Execution of any Sentence passed on any Offender or Offenders who shall be convicted of any Offence, capital or otherwise, by or before the said Court. And We do order and declare, That in all Cases, after Sentence passed, the said Court may substitute and order any lesser Punishment to be inflicted on the Person or Persons convicted, than the Punishment to which such Person or Persons shall have been sentenced, according to Law, whether such lesser Punishment be Transportation or Imprisonment, or to be kept to hard Labour, or such other reasonable corporal Punishment, not extending to Life, Limb, or perpetual Imprisonment, as the said Court shall think fit to be so substituted and inflicted. And We authorize the said Court,

Court, at its Discretion during the Respite or Suspension of the Execution of any Sentence, or the Infliction of any Punishment, to cause the Offender to be kept in strict Custody, or to deliver him or her to sufficient Bail or Mainprize, as the Circumstances shall seem to require.

AND We do further authorize and empower the said Court, on any Occasion where the Judges thereof shall think fit, to refer any Case to our Royal Consideration, to reprieve and suspend the Execution of any Sentence, capital or otherwise, until Our Pleasure shall be known; and the said Court shall, in such Case, transmit to the Court of Directors of the said *United Company* a Statement of the Case, and of the Evidence, and of the Reason of such Reprieve or Suspension, with an authentic Copy of all the Proceedings on such Case, in order that the same may be presented to Us, Our Heirs and Successors, for Our or Their Royal Determination thereon. And we authorize the said Court, in the mean Time, to cause the Offender to be kept in strict Custody, or to deliver him or her out to sufficient Bail or Mainprize, as the Circumstances shall seem to require. PROVIDED ALWAYS, and We hereby reserve to Ourselves, Our Heirs and Successors, Our and Their Royal Prerogative to extend Our and Their Mercy, and to grant Our and Their Pardon to, and to reprieve and respite the Execution of any Sentence which shall be passed upon any Offender or Offenders, and to allow of the Return of any such Offender or Offenders from Transportation, in any Case where We, or Our Heirs or Successors, shall see fit to interfere, as fully and amply as if We had not granted any of the Powers hereby granted to the said Court.

Power for Court to refer any Case to the King's Consideration.

AND We hereby order and declare, That in all Cases where any Offender or Offenders shall be sentenced or ordered to be transported or to be kept to hard Labour, the Governor and Council In Case of Transportation and keeping to hard Labour, Governor and Council to take

the due Council of the said Settlement shall, and they are hereby required  
of the to take Order for the due Performance of all such Sentences or  
Orders accordingly.

Court AND We do hereby further authorize and empower the said  
and Court to hold General and Quarter Sessions of the Peace from Time  
ions. to Time, within and for the said Settlement and Places aforesaid,  
to give Order touching the making Repairs and cleansing of the  
Roads, Streets, Bridges, and Ferries, and for the Removal and Abate-  
ment of Public Nuisances, and for such other Purposes of Police,  
and for the Appointment of Peace Officers, and Trial and Punish-  
ment of Misdemeanors, and doing such other Acts as are usually  
done by our Justices of the Peace at their General or Quarter  
Sessions, within that Part of Our United Kingdom called *England*,  
as nearly as Circumstances will admit and shall require.

to the AND We hereby authorize and empower the said Court, at their  
of General and Quarter Sessions, from Time to Time to nominate  
s. and appoint such Persons as the said Court shall see fit, to be and  
act as Constables, or to perform the Duties usually performed by  
Constables and subordinate Peace Officers, in that Part of Our  
United Kingdom called *England*, as nearly as the different Reli-  
gions, Customs, and Manners of the different Inhabitants of the  
said Settlement and Places shall require or will admit. And We  
authorize and empower the said Court to direct, that the said  
Constables, and other subordinate Peace Officers, shall have and  
exercise their Authority within and over any particular District or  
Districts, or over any particular Class or Classes, Tribe or Tribes, of  
the Inhabitants of the said Settlement of *Prince of Wales' Island*,  
*Singapore*, and *Malacca*, and Places aforesaid, as the said Court  
shall see fit. And we authorize and empower the said Court to  
compel all and every such Persons to serve the said Offices to  
which they shall be appointed, in the like Manner as Persons may  
be

be compelled to serve the Office of Constable, within that Part of Our United Kingdom called *England*, so far as the Religions, Customs, and Manners of such Persons will admit; and that before they shall enter upon their respective Offices, they shall respectively take before the said Court the Oath of Allegiance, and an Oath well and faithfully to execute the same, without Favour or Partiality, Malice or Hatred.

AND We further grant, ordain, and appoint, That the said Court of Judicature, at their General and Quarter Sessions, shall have full Power and Authority by themselves, without any Inquest or Jury, to inquire of, hear, and determine all Breaches of the Peace, Quarrels, Controversies, and other Crimes and Misdemeanors whatsoever, other than and except Treason and Felony, and to cause such Witnesses as shall be necessary to be summoned to give Evidence before them, upon Oath, and to award and cause such Punishment to be inflicted on such Persons who shall be found guilty by them of any such Offences, so as such Punishment shall not extend to life or Limb, or perpetual Imprisonment, or Banishment or Transportation from the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, or Places aforesaid, and so as such Punishment shall not be repugnant to the religious Customs or Manners of the Person on whom it is to be inflicted. AND We hereby authorize the said Court of Judicature to proceed to the Trial and Punishment of such Offenders as last aforesaid, in such summary Way, and to give such Orders thereon to the Sheriff and other Peace Officers and Ministers, as shall be most consistent with the Attainment of substantial Justice. PROVIDED ALWAYS, That the said Governor or President and Council, and the said Recorder of *Prince of Wales' Island, Singapore, and Malacca*, shall in no Way be subject to the Jurisdiction of the said Court at their General or Quarter Sessions.

Power for the General and Quarter Sessions to try without a Jury all Offences not being Treason or Felony

AND



authorizing  
appointment of  
of the

AND We do hereby further authorize and empower the said Governor in Council of the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*. for the Time being, by Commissions to be from Time to Time issued under the Seal of the said Court of Judicature there, in the Name of the King's Majesty, His Heirs and Successors, tested in the Name of the Recorder of the said Court (which Commissions the said Court of Judicature is hereby authorized and required from Time to Time, by any Order or Warrant from the said Governor in Council, to issue accordingly), to nominate and appoint such and so many of the covenanted Servants of the said *Company*, or other Inhabitants, as the said Governor in Council shall think properly qualified to act as Justices of the Peace within and for the said Settlement, and the Places now, or at any Time hereafter to be subordinate or annexed thereto; and such Persons shall, according to the Tenour of the respective Commissions wherein they shall be so nominated and appointed, and by Virtue thereof, have Power and Authority to act as Justices of the Peace, according to the Tenour of the same Commissions wherein they shall be named, in and for the said Settlement and Places aforesaid. And the said Court of Judicature, upon any Requisition in Writing from the said Governor in Council, shall and may, from Time to Time, supersede such Commissions, and upon like Requisition issue new Commissions for the Purposes aforesaid, unto the same or such other of the covenanted Servants of the said *Company* or other Inhabitants, as shall from Time to Time be so nominated by the said Governor in Council in that Behalf; all which Commissions shall be filed of Record in the said Court of Judicature. AND We do further grant, direct, and ordain, That the Persons who shall be so nominated and appointed to act as Justices of the Peace as aforesaid, when and so often as a Court of General or Quarter Sessions of the Peace shall be assembled by Order of the said Court of Judicature, shall and may sit as Justices of the Peace,  
and

and have a deliberate Voice in such Court of General or Quarter Sessions of the Peace. PROVIDED ALWAYS, That the Persons who shall be so nominated and appointed as aforesaid, shall not be capable of holding any Court of Oyer and Terminer or of Gaol Delivery, nor to sit in any Court of Oyer and Terminer or Gaol Delivery, unless such Court shall, on any particular Occasion, call upon them so to do, in which Case, and so often as the same shall happen, the Person or Persons so called upon shall and may, for that Time, associate with the Justices of such Court of Oyer and Terminer or Gaol Delivery, and sit as a Justice or Justices of such Court of Oyer and Terminer or Gaol Delivery, and have a deliberative Voice therein, being first specially authorized for that Purpose by Order in Council. PROVIDED ALWAYS, and We do further declare and ordain, That no Person to be nominated and appointed in and by any such Commission as aforesaid, shall be capable of acting as a Justice of the Peace in or for the said Settlement, until he shall have taken and subscribed in the Court of Oyer and Terminer of the said Settlement, the Oath of Allegiance, and the like Oath of Office as is appointed to be taken by Justices of the Peace in that Part of the United Kingdom called *England*, or as nearly to the Tenour thereof as the Case will admit, and as shall be approved by the said Court.

AND We do hereby further grant, direct, and ordain, That all the Justices of the Peace within and for the said Settlement and Places aforesaid, and all the Constables and all other Magistrates and Peace Officers, shall be subordinate to, and all their Acts and Proceedings shall be liable to be inquired into, annulled, corrected, and dealt with by the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, and by the like Methods and Process, as near as may be, as all inferior criminal Courts, Justices, Magistrates, and Peace Officers, are subordinate to our

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Court

Justices, Constables, &c. to be subordinate to the Court.

Court of King's Bench, in that Part of our United Kingdom called  
*England*.

al to the King  
uncil.

AND it is Our further Will and Pleasure, and We do hereby direct, establish, and ordain, That if the said *United Company*, or any Person or Persons shall find him, her, or themselves aggrieved by any Judgment or Determination of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, in any Case whatsoever, it shall and may be lawful for them, him, or her, to appeal to Us, Our Heirs or Successors, in Our or Their Privy Council, in such Manner, and under such Restrictions and Qualifications as are hereinafter-mentioned: that is to say, in all Judgments or Determinations made by the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, in any civil Cause, the Party and Parties against whom, or to whose immediate Prejudice the said Judgment or Determination shall be or tend, may, by his or their humble Petition, to be preferred for that Purpose to the said Court, pray Leave to appeal to Us, Our Heirs or Successors, in Our or Their Privy Council, stating in such Petition the Cause or Causes of Appeal. And in case such Leave to Appeal shall be prayed by the Party or Parties who is or are directed to pay any Sum of Money, or to perform any Duty, the said Court shall and is hereby empowered to award that such Judgment or Determination shall be carried into Execution, or that sufficient Security shall be given for the Performance of the said Judgment or Determination, as shall be most expedient to real and substantial Justice. PROVIDED ALWAYS That where the said Court shall think fit to order the Judgment or Determination to be executed, Security shall be taken from the other Party or Parties for the due Performance of such Judgment or Order, as We, Our Heirs or Successors, shall think fit to make thereupon. And in all Cases We will and require, that  
Security

Security shall also be given, to the Satisfaction of the said Court, for the Payment of all such Costs as the said Court of Judicature may think likely to be incurred by the said Appeal, and also for the Performance of such Judgment or Order as We, Our Heirs or Successors, shall think fit to give or make thereupon; and upon such Order or Orders of the said Court thereupon made being performed to their Satisfaction, the said Court shall allow the Appeal, and the Party or Parties so thinking him, her, or themselves aggrieved, shall be at Liberty to prefer and prosecute his, her, or their Appeal to Us, Our Heirs or Successors, in Our or their Privy Council, in such Manner and Form, and under such Rules as are observed in Appeals made to Us from Our Plantations or Colonies, or from Our Islands of *Guernsey, Jersey, Sark, or Alderney*.

AND it is Our further Will and Pleasure, That in all Indictments, Informations, and criminal Suits and Causes whatsoever, the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall have full and absolute Power and Authority to allow or deny the Appeal of the Party pretending to be aggrieved, and also to award, order, and regulate the Terms upon which Appeals shall be allowed, in all Cases in which the said Court may think fit to allow such Appeal.

In criminal Suits, the Court may allow or deny Appeal and regulate the Terms.

AND We do also hereby reserve to Ourselves, our Heirs and Successors, in Our or Their Privy Council, full Power and Authority, upon the humble Petition, at any Time, of any Person or Persons aggrieved by a Judgment or Determination of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, to refuse or admit his, her, or their Appeal thereupon, upon such Terms, and under such Limitations, Restrictions, and Regulations, as We or They shall think fit, and to reform, correct,

Right reserved to the King to allow or reject any Appeal.

or vary such Judgment or Determination as to Us or Them shall seem meet.

in-  
script of Pro-  
ceedings to be sent  
Appeals to the  
Court.

AND it is Our further Will and Pleasure, and We do hereby direct and ordain, That in all Cases of Appeal allowed by the said Court, or by Us, Our Heirs or Successors, the said Court shall certify and transmit to Us, Our Heirs or Successors, in Our or Their Privy Council, a true and exact Copy of all Evidences, Proceedings Judgments, Decrees, and Orders, had or made in such Causes appealed, so far as the same have Relation to the Matter of Appeal, such Copies to be certified under the Seal of the said Court.

part to execute  
Judgment and Or-  
ders of His Ma-  
jesty.

AND We do further direct and ordain, That the said Court shall, in all Cases of Appeal to Us, Our Heirs or Successors, conform to and execute, or cause to be executed, such Judgments and Orders as We shall think fit to make in the Premises, in such Manner as in any original Judgment, Decree, or Decretal, or other Order or Rule by the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, should or might have been executed.

Appeals to be  
allowed, except the  
Petition shall be  
preferred within six  
months, and unless  
the Matter shall  
exceed One thou-  
sand six hundred  
Dollars.

PROVIDED ALWAYS, That no Appeal shall be allowed by the said Court, unless the Petition for that Purpose shall be preferred within six months from the Day of pronouncing the Judgment or Determination complained of, and unless the Value of the Matter in Dispute shall exceed the Sum of One thousand six hundred Dollars.

arts, in the na-  
me of Courts of  
Justice, to be  
established, to de-  
termine Suits not  
exceeding the Va-

AND We do hereby, for Ourselves, Our Heirs and Successors, give and grant to the said *Company*, and their Successors, That it shall and may be lawful to and for the said Court of Directors of the said *United Company*, and for the Governor or

or President and Council of *Prince of Wales' Island, Singapore,* and *Malacca,* for the Time being, or the major Part of them subject to the Orders and Pleasure of the said Court of Directors, to erect and establish such Court or Courts of Judicature as they shall see fit, for the Recovery of small Debts, and for the Trial and Determination of all Suits and Causes whatsoever against any of the Inhabitants of the said Settlement of *Prince of Wales' Island, Singapore,* and *Malacca,* or the Places now, or at any Time hereafter to be subordinate or annexed thereto, wherein the Debt, Duty, or Matter in Dispute shall not exceed the Value of Thirty-two Dollars, and from Time to Time to appoint any of the said Inhabitants, whether *British* born or not, to be the Judges of the said Court or Courts respectively, and to revoke such Appointments. AND also to direct and appoint whether the Jurisdiction of the said Court or Courts, respectively, shall be local, or whether it shall be personal, with respect to any particular Class or Classes, Tribe or Tribes of the said Inhabitants; and to frame such Rules and Regulations for the due Administration of Justice in and by the said Court or Courts, respectively, and to regulate every Matter incident thereto, as they shall see fit, conforming, as nearly as may be, to the Rules generally practised for the Administration of Justice in the several Courts of request and Courts for Recovery of small Debts, within that Part of our United Kingdom called *England,* so as that the Administration of Justice in and by the said Court or Courts may, as far as Circumstances will permit, always be adapted to the Religions, Manners, and Customs of the several Classes and Tribes of Inhabitants, from Time to Time, within the said Settlement and Places aforesaid. PROVIDED ALWAYS, and We do hereby declare, That the Establishment of all such Court or Courts last herein-before-mentioned, shall be liable to be repealed, annulled, varied, or altered by the said Court of Directors, and by the said Governor or President

sident and Council, for the Time being, or the major Part of them, subject to the Orders and Pleasure of the said Court of Directors. AND We do hereby further will, ordain, and appoint, That all and every the Court and Courts, so to be established as last herein-before-mentioned, shall be subject to the Order and Control of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, in such Sort, Manner, and Form, as the inferior Courts of civil Jurisdiction in that Part of our United Kingdom called *England*, are by Law subject to the Order and Control of our Court of King's Bench; for which Purpose the said Court of Judicature is hereby authorized and empowered to issue any Writ or Writs, Orders or Precepts, in a summary Way, to have the Force of Writs of *Certiorari, Proccendo, Error or false Judgment*, or otherwise, as the Case may require, to be directed to such Courts respectively, on the respective Judges or Officers thereof and to punish any Contempt thereof, or wilful Disobedience thereunto, by Fine or Imprisonment.

t to fix Periods  
holding civil and  
nal Courts,  
ons, &c.

AND We do hereby further authorize and empower the said Court of Judicature to appoint, and from Time to Time, as Occasion shall require, to vary the Place or Places where, and the Periods at and during which the said Court, and any Courts hereby authorized to be established, shall sit and hold Sessions for the Dispatch of Business, and that subject to any general Rules; and also as to inferior Courts, subject to the Order and Control therein of the said Court of Judicature, the said several Courts shall have full Power and Authority to sit and dispatch Business, and adjourn from Place to Place within the said Settlement and the Places now or hereafter to be subordinate or annexed thereto, and from Time to Time, as well within the Periods to be fixed for their regular Sittings and Sessions as out of those Periods, as there shall be Occasion.

PROVIDED

PROVIDED ALWAYS, and We hereby declare, That it shall be lawful at all Times in Vacation, or during any Adjournment of the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, to and for the Governor or President of the said Settlement, or in his Absence to and for the resident Counsellor at any of the said Stations, of his own Authority, to convene, or cause to be convened, a special Court, and to adjourn, or cause such special Court to be adjourned, from Time to Time, and from Place to Place, as he shall see fit.

The President to have Power to convene and adjourn special Courts in Vacation-Time.

AND it is Our further Will and Pleasure, and We do hereby direct, ordain, and appoint, That as soon as may be after the Arrival of this Our Charter at the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, the said Governor or President and Council, and the said Recorder, or so many of them as shall then be able to meet together, shall assemble themselves in some convenient Place, and thereupon the said Governor, President, or the senior Counsellors present, shall publicly take an Oath, in the most solemn Manner, that he will, to the best of his Knowledge, Skill, and Judgment, duly execute the Office of Judge of the said, Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, and impartially administer Justice in every Cause, Matter, or Thing which shall come before him; and he shall also take the Oath of Allegiance, in such Manner and Form as the same is by Law appointed to be taken in *Great Britain*, of which Oath a Record shall forthwith be made. AND We do hereby authorize the Counsellors and Recorder of *Prince of Wales' Island, Singapore, and Malacca*, or such of them as shall then be present, to administer the said Oath, and make such Record thereof accordingly. And then the said Counsellors and Recorder, or such of them as shall then and there be present, shall take the like Oaths, only changing what ought to be changed for that Purpose, before the said Governor if present, and if not, then before the Counsellor

The Governor and Council and Recorder to be sworn.



sellor who shall first have taken the said Oaths. And We do hereby authorize the said Governor, Counsellors, and Recorder, respectively, to administer the said Oaths, and record the same accordingly. And We do hereby further ordain and establish, That the said Governor or President, and Counsellors and Recorder of *Prince of Wales' Island, Singapore, and Malacca*, and all succeeding Governors, Counsellors and Recorders, before he or they shall be capable of exercising the Office of Judge of the said Court, shall take, in open Court, the like Oaths, only changing what ought to be changed for that Purpose; whereof Records shall be made, and filed among the other Records of the Court from Time to Time. And after the said Governor or President, and Counsellors and Recorder, or so many of them as shall be assembled for that Purpose, shall have taken the said Oaths, this Our Charter, and the said Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, shall be proclaimed and published in due Manner, and proceed forthwith to the Execution of the several Authorities hereby vested in it.

Charter to be  
proclaimed, and  
upon all other  
rights but those  
by established,  
authorized to  
established, to  
e.

publishing of  
Charter the for-  
Court to cease.

AND it is Our further Will and Pleasure, and We do hereby grant and declare, That immediately after this Our Charter shall be published and proclaimed, so much of the Charter granted by His said Majesty King George the Third, in the forty-seventh Year of His Reign, as herein-before-mentioned, as confers any Jurisdiction whatsoever (civil, criminal, or ecclesiastical, upon the Court of Judicature of *Prince of Wales' Island*, thereby established, shall cease and determine, and be absolutely void, to all Intents and Purposes, and all Powers and Authorities thereby granted to or vested in the said Court of Judicature of *Prince of Wales' Island*, shall cease and determine, and be no longer exercised by the said Court, but the same shall and may be exercised by the said Court hereby established, in Manner and to the Extent herein directed.

PROVIDED

**PROVIDED ALWAYS,** That no Judgment or Decree or Decretal, or other Order, Rule, or Act of the said Court of Judicature of *Prince of Wales' Island*, legally pronounced, given, had, or done, in any of the Jurisdictions, civil, criminal, or ecclesiastical, given to the said Court of Judicature of *Prince of Wales' Island*, before such Publication and Proclamation as aforesaid of the said new Court, hereby established, shall be hereby avoided, but shall remain in full Force and Virtue, as if these Presents had not been made; nor shall any Indictment, Information, Action, Suit, Cause, or Proceeding, depending in the said Court, whether, originally instituted in such Court in any Branch of its Jurisdiction, or transferred from any other Court or Courts, be abated, discontinued, or annulled, but the same shall be transferred, in their then subsisting Condition respectively, to, and subsist and depend in the said Court hereby established, according to the several Jurisdictions hereby given to such Court, severally and respectively, to all Intents and Purposes, as if they had been respectively commenced, brought, found, presented, or recorded in the said Court hereby established. **AND** We do hereby authorize and empower the said Court hereby established, to proceed accordingly in all such Indictments, Informations, Actions, Suits, Causes, and Proceedings, to Judgment and Execution, and to make such Rules and Orders respecting the same, and also respecting any Sum or Sums of Money belonging to the Suitors of the said Court of Judicature of *Prince of Wales' Island*, or of any of the Courts, the Jurisdiction whereof was transferred to the said Court, as the said Court might have made. or as the said Court hereby established is hereby empowered to make, in Causes, Suits, or Proceedings commenced or depending before the said Court hereby established. For which Purpose it is Our further Will and Pleasure, That all the Records, Muniments, and Proceedings whatsoever, of or belonging to the said Court of Judicature of *Prince of Wales' Island*, or which ought to be deposited with such Court, shall be delivered

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And its Authority over all Matters depending is given and transferred to the Court.  
  
 And all the Records of the Court of Judicature of *Prince of Wales' Island* are to be preserved by the new Court.

and

and deposited, and preserved amongst the Records of the Court of Judicature of *Prince of Wales' Island, Singapore, and Malacca*, hereby established.

its pending at  
Singapore and at  
Malacca to be  
transferred to the  
Court.

AND it is Our further Will and Pleasure, and We hereby grant and declare, That immediately after this Our Charter shall be so published and proclaimed, the Jurisdiction of all Courts, and of all Persons whomsoever, who in fact have exercised, by Force of any Authority whatever, any of the Jurisdictions or Powers hereby established and given within the said Island of *Singapore*, or the said *Town and Fort of Malacca* or its Dependencies, shall from thenceforth cease and determine; but nevertheless, all Acts, Judgments, and Proceedings of all such Courts or Persons shall remain and be in full Force, according to the true Intent and Meaning thereof, unless the same, on proper Proceedings to be had for that Purpose, shall be reversed, varied, or avoided by the said Court of Judicature hereby established. PROVIDED ALWAYS, That no Causes, Actions, Suits, or Proceedings, civil or criminal, which shall be depending before any Court or Persons whomsoever, in Fact exercising, by Force of any Authority whatsoever, any of the Jurisdictions or Powers hereby established or given within the said Island of *Singapore*, or the said *Town and Fort of Malacca* or its Dependencies, shall be in any wise abated, discontinued, or avoided, except as herein-before-mentioned, but the same shall be transferred over, in their then existing Condition, to the said Court of Judicature hereby established, and shall subsist and depend therein, respectively, and shall be proceeded in and determined by the said Court hereby established, in like Manner as if they had been commenced therein.

AND We do further direct and ordain, That all the Muniments, Records, and Proceedings whatsoever, belonging to any such Courts or Persons whose Jurisdiction is hereby directed to cease  
and

and determine, shall be delivered over to, and kept by and remain with the said Court of Judicature hereby established, for the Benefit of the Parties interested therein. PROVIDED ALWAYS and We do hereby declare, That nothing herein contained shall extend, or be construed to extend, to determine the Authority of any Court or Officer in fact exercising, or to exercise any of the Powers hereafter to be exercised by any Court or Officer whatsoever hereby directed to be appointed or established, until such new Establishment and Appointment shall hereafter be made and shall take effect.

AND We, of Our especial Grace, certain Knowledge, and mere Motion, have given and granted, and by these Presents for Us, Our Heirs and Successors, do give and grant unto the said *United Company of Merchants of England trading to the East-Indies*, and their Successors for ever, all such Fines, Amerciaments, Forfeitures, Penalties, and Sums of Money whatsoever, as shall be ordered, charged, judged, set, or imposed upon any Person or Persons whatsoever, in or by the said Court, or by the said Justices of the Peace, or any of them, or otherwise howsoever, by Virtue or in Pursuance of the Powers, Grants, Privileges, or Authorities in these Presents mentioned, or contained, upon any Person or Persons, for or by Reason of any Contempts, Misdemeanors, or Offences whatsoever, to have, hold, receive, levy, sue for, recover, and enjoy the same, to the same *United Company* and their Successors for ever, without any Account, or any other Matter or Thing to be rendered or paid for the same, unto Us, Our Heirs or Successors.

The King grants to the *Company* all Fines, &c. imposed by the Courts of Justice, &c.

PROVIDED ALWAYS, That it shall be lawful, and We hereby authorize and empower the said Court of Judicature to order Satisfaction to be made to any Prosecutors, for any Crimes committed or Contempts incurred, as to the said Court shall seem reasonable

Power for the Court to make Satisfaction to Prosecutors.

and fit, out of any Fine or Fines to be set or imposed upon any Person or Persons who shall be convicted before and fined by them; and We will, that such Fines shall be paid according to such Order to be given by the said Court.

1 Powers to  
for and recover  
same.

AND We do hereby, for Us, Our Heirs and Successors, give and grant unto the said *United Company of Merchants of England trading to the East-Indies* and their Successors, full Power and Authority to sue for, recover, and levy, all and every the said Fines, Amerciaments, Forfeitures, Penalties, and Sums of Money, by any Action or Actions, or by such other Suits, Actions, Ways, Means, and Proceedings, as may be lawfully had and prosecuted in our said Court, in their corporate Names, or by any other lawful Ways or Means, either in the Name of Us, Our Heirs or Successors, or of the said *United Company* or their Successors, and to collect, take, seize, and levy the said Fines, Amerciaments, Forfeitures, Penalties, and Sums of Money, in and by these Presents granted, or mentioned to be granted, from Time to Time, by the proper Officers and Ministers of the said *United Company* and their Successors, to the only proper Use and Behoof of them and their Successors, without any Writ, Warrant, or other Process out of the Exchequer of Us, Our Heirs or Successors, or any other Court or Courts of Us, Our Heirs and Successors, whatsoever and where-soever, to be had and obtained in that Behalf, any Usage or Custom to the contrary thereof in any wise notwithstanding; subject, nevertheless, to such Orders as shall be made for the Satisfaction of Prosecutors, as herein-before directed.

treat-Roll of  
ces, &c. to be  
livered to the  
overnor and  
ouncil, to be filed  
the Court of  
venue.

AND We hereby further will and direct, That the said Court, and the Justices of the Peace in their said Courts of General and Quarter Sessions, shall by themselves, or by the proper Officers of the said Court, deliver to the Governor or President and Council, or their Secretary, four Times in every Year, at Periods, to be fixed by

61.  
by them, upon Oath, an Estreat-Roll of all Fines, Amercements, Forfeitures, Penalties, and Summs of Money, which shall from Time to Time have been set, imposed, lost, or forfeited by any Person or Persons whomsoever, at or by, or before the said Courts; and it shall thereupon be lawful for the said Governor or President and Council to mitigate or discharge the same, or to give such Order for the Recovery thereof, by the Process of the said Court or otherwise, as there shall be Occasion.

AND We do hereby strictly charge and command all Governors, Commanders, Magistrates, Ministers, civil and military, and all Our liege Subjects within or belonging to the said Settlement and Places aforesaid, that in the Execution of the several Powers, Jurisdictions, and Authorities hereby granted, made, given, or created they may be aiding, assisting, and obedient in all Things, as they will answer at their Peril.

All the King's Subjects to be aiding and assisting.

PROVIDED ALWAYS, That nothing in these Presents contained, or any Act which shall be done under the Authority thereof, shall extend, or be construed to extend to prevent Us, Our Heirs and Successors, upon the Surrender of this Charter by the said *United Company* or their Successors, or upon the Petition of the said *United Company* or their Successors, to Us, Our Heirs or Successors, without surrender thereof, to repeal these Presents, or any Part thereof, or to make such further or other Provision, by Letters Patent, for the Administration of Justice, civil and criminal, within the said Settlement of *Prince of Wales' Island, Singapore, and Malacca*, and the Places now, or at any time hereafter to be annexed thereto, to Us, Our Heirs and Successors, shall seem fit, in as full and ample Manner as if these Presents had not been made, these Presents, or any Thing herein contained, to the contrary thereof in any wise notwithstanding.

Power reserved for making further Provision for the Administration of Justice.

IN

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In WITNESS whereof, We have caused these Our Letters to be  
made Patent. Witness Ourself at Westminster, the twenty-seventh  
Day of November, in the seventh Year of our Reign.

By Writ of Privy Seal,

(Signed) BATHURST.

## Marginal Notes of the Second Charter of Justice 1826

### *Page 12*

All Acts to be decided by the Majority of the Judges present, except in case of Adjournment after-mentioned.

The Recorder, or in his Absence the Governor or Counsellor acting as such to vote first, and in case of equal Division, to have a casting Voice.

### *Page 14*

Recorder restricted from taking any other Office or exercising any other Business.

Sir S. T. Claridge appointed to be the first Recorder of *Prince of Wales' Island*.

### *Page 16*

Sheriff to be appointed.

### *Page 18*

Clause authorizing the appointment of Coroners.

The Court to settle a Table of Fees for the Registrar, Sheriff, and Coroner.

### *Page 20*

Arms, which is to be kept by the Governor or Senior Counsellor.

All Writs are to be issued under the Seal, in the name of the King, and to be attested in the name of the Governor or President.

### *Page 22*

The governor and counselors and Recorder not to be arrested.

The Court to exercise Authority over the Persons and Estates of Infants and Lunatics.

### *Page 24*

Administrators are to give Security by Bond for duly administering Effects, as in the Diocese of *London*.

### *Page 26*

In what Cases the Bond may be put in Suit.



Regulation as to the conduct of Executors and Administrators.

*Page 30*

And are to be sworn, in such Way as may be most binding on their Conscience.

*Page 32*

Court empowered to make interlocutory Orders, &c.

Provision as to Agents for Suitors.

*(Sic orig.)*

*Page 34*

Power to arrest a [Defendant?] on [mesne?] Process in [illegible] Cases.

*Page 38*

Suitors' Money and Securities to be deposited with the Company's Cash.

*Page 40*

Proceedings by or against the *East-India Company*.

*Page 42*

Commissioners for [...] Affairs of India, [...] his Majesty's [...] probation.

Governor and Council and Recorder [...] appointed to [...] Court of Oyer and Terminer.

Jurisdiction of the Court of Oyer and Terminer.

*Page 44*

As to Juries.

Exception of the Governor and Council and Recorder, in certain cases, from Criminal Jurisdiction.

The Court may reprieve Execution of any capital Sentence, and substitute a lesser Punishment.

*Page 46*

[Order] for the due Performance of the Sentence.

[Power?] to the Court [to hold?] General and Quarter Sessions.

[...]tion as to the [appo?]intment of [...] Officers.

*Page 48*

Clause authorizing the Appointment of Justices of the Peace.

*Page 50*

Appeal to the King in Council.

*Page 52*

Transcript of Proceedings to be sent on Appeals to the King.

Court to execute Judgment and Orders of His Majesty.

No Appeal to be allowed, except the Petition shall be preferred within six Months, and unless the Matter shall exceed one thousand six hundred Dollars.

Courts, in the nature of Courts of Request, to be established, to determine Suits no exceeding the Va-[page 53]lue of Thirty-two Dollars.

*Page 54*

Court to fix Periods for holding civil and criminal Courts, Sessions, &c.

*Page 56*

This Charter to be proclaimed, and thereupon all other Courts but those hereby established, or authorized to be established, to cease.

After publishing of this Charter the former Court to cease.

*Page 58*

Suits pending at *Singapore* and *Malacca* to be transferred to the new Court.

*Page 60*

With Powers to sue for and recover the same.

Estreat roll of Fines, &c. to be delivered to the Governor and Council, to be filed in the Court of Revenue.

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